

TRANSACTION REPORT

Transmission

Transaction(s) completed

NO.	TX DATE/TIME	DESTINATION	DURATION PGS.	RESULT	MODE
653	NOV. 15 15:45	805 963 2574	0° 01' 03" 002	OK	F ECM

15 November 1996

Proposals for discussion at Physics Today retreat

The following proposed agenda items are in the spirit of Steve's invitation to put our concerns "on the table." This list was put together by some of the staff, based on discussions among staff members. The theme of these proposals derives from the main points raised by the Physics Today advisory committee: openness, staff empowerment and editorial efficiency. The proposals address issues that are very important to at least some of the staff, and they are intended to provide a basis for discussion. Each proposal is subject to adoption, modification or rejection during the retreat. PLEASE ADD TO THE LIST.

1. Agreement that we want to keep all the present staff members.

-- Security is a prerequisite for speaking freely, sharing ideas and experimentation.

S 000440

2. Openness.

-- Recognize that all staff members are legitimately concerned about all aspects of the magazine -- both content and process.

-- Proposed changes in magazine's content or process should be announced to the staff and discussed.

-- Make letters to the editor available to all staff.

3. Volunteer reporters -- a staff-based information system.

NOV. - 15' 96 (FRI) 15:42 AM. INST OF PHYSICS

TEL: 301 209 3040

P. 001

TRANSACTION REPORT

Transmission

Transaction(s) completed

NO.	TX DATE/TIME	DESTINATION	DURATION PGS.	RESULT	MODE
651	NOV. 15 15:41	718 218 8959	0° 01' 24" 002	OK	FINE

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S 000441

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3. Volunteer reporters -- a staff-based information system.

NOV. -18' 96(MON) 11:31 AM. INST OF PHYSICS

TEL: 301 209 3040

P. 001

TRANSACTION REPORT					
Transmission					
Transaction(s) completed					
NO.	TX DATE/TIME	DESTINATION	DURATION PGS.	RESULT	MODE
676	NOV. 18 11:30	12026628711	0° 01' 03" 002	OK	F ECM

15 November 1996

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From: Stephen Benka
To: ALL-PT
Date: 15 Nov 1996 (Fri) 10:37
Subject: Upcoming Retreat

TO: All PT Personnel
FROM: Steve Benka
DATE: November 15, 1996
SUBJECT: Retreat

Each of us has work-related concerns, ideas, complaints, and suggestions for change at *Physics Today*. Yet these concerns, ideas, complaints, and suggestions (CICS) are often unvoiced or unheard, which means they are also undiscussed in any productive way.

Our impending retreat provides us with an excellent opportunity to put our CICS "on the table" and begin to examine them honestly. I invite each of us to reflect on our own CICS, and present them openly at the retreat. Anything related to *Physics Today* is fair game: its management, structure, procedures, content and appearance, your role or department, and so on. Jotting them down may be helpful. Don't be bashful. The only repercussions from an honest dialog amongst ourselves will be improved understanding of (and by) everyone involved. My preference is that we focus on issues within our control, rather than issues such as AIP management over which we have no control.

I would like to devote Wednesday morning to our individual CICS, and propose to run it conference-style, with 15 minutes allowed for each person to speak, followed by 5 minutes for clarifying questions but no discussion. The order will be determined by drawing names from a hat. I will have a timer, and someone else will monitor it when my name is drawn.

I am grateful for this opportunity, and deeply appreciate everyone's participation.

I suggest the following format:

Tuesday evening --- Dinner, Speech by Charles, Distribution of Advisory Committee Report (currently in the mail).

Wednesday morning --- 15-minute presentations by each individual

Wednesday afternoon --- Free-form group discussion of global concerns, ideas, suggestions & models.

S 000443

NOV. -15' 96 (FRI) 14:25 AM. INST OF PHYSICS

TEL: 301 209 3040

P. 001

TRANSACTION REPORT

Transmission

Transaction(s) completed

NO.	TX DATE/TIME	DESTINATION	DURATION PGS.	RESULT	MODE
648	NOV. 15 14:24	718 218 8959	0° 01' 23" 002	OK	Fine

VERSION 15.2

15 November 1996

Proposals for discussion at Physics Today retreat

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NOV. -15' 96 (FRI) 13:11 AM. INST OF PHYSICS

TEL: 301 209 3040

P. 001

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Transmission

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NO.	TX DATE/TIME	DESTINATION	DURATION PGS.	RESULT	MODE
643	NOV. 15 13:09	718 218 8959	0° 01' 23" 002	OK	Fine

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S 000445

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-- Proposed changes in magazine's content or process should be announced to the staff and discussed.
(Examples: short feature articles, merging of departments.)

-- Make letters to the editor available to all staff.

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15 November 1996.

Proposals for discussion at Physics Today retreat

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(Examples: short feature articles, merging of departments.)
 - Make letters to the editor available to all staff.
3. Volunteer reporters -- a staff-based information system.
 - Reporter gathers and disseminates information on progress toward agreed-upon goals. Not intended to replace management's information system. (Example: reporting on progress toward hiring someone to categorize books.)
4. Problem resolution: Editorial and other.
 - Editorial judgment: Burden of proof on critic.
 - In disputes, editors are encouraged to consult others on staff.

S 000516

5. Distribute work according to staff interest.
 - Adjust job descriptions of yet-to-be-hired editorial and secretarial staff members based on current staff interests.
6. Physics Today management should act in a way that leads staff to see them as their advocates rather than as the local representatives of higher management.
 - Advocates in editorial controversies.
 - Advocates in annual reviews.
7. Voluntary staff participation in hiring.
 - Participate in writing job advertisements.
 - Examine resumes.
 - Talk to candidates.
 - Offer recommendations.
8. Take affirmative action to increase diversity of Physics Today staff.
9. Allow staff to solicit outlines for articles.
10. No need for detailed schedules.

5 November 1997

Marc,

Thank you for asking me to meet with you today about my statement to the Physics Today advisory committee that the magazine has failed to live up fully to its claim that it is an affirmative-action employer.

I am taking this opportunity to outline the history of the issue at the magazine and to discuss the important difference between equal opportunity and affirmative action.

At a November 1996 Physics Today meeting, some of us on the staff raised the issue of affirmative action and the lack of diversity at the magazine. Several weeks earlier, one of the Physics Today editors had submitted his resignation, thus presenting us with an immediate opportunity to work toward correcting the problem. At the meeting, I said I would help monitor the situation in the future, as did Jean Kumagai, who is the only minority among the 18 individuals who work at Physics Today.

On 14 April 1997 the Physics Today staff learned that out of the 85 applicants for the editorial opening at the magazine, three had been selected to come in for interviews -- all white males. Among the 85 applicants were a number of potentially qualified minorities and women. Jean and I argued that if Physics Today were truly committed to affirmative action, it would also bring in some of these applicants. That could have been done easily, but Charles Harris and Steve Benka refused, saying that it was not worth the delay of a week or so that it would cause. We felt that this revealed Physics Today's priorities (and AIP's, too, because Charles had told us that he had discussed the institute's affirmative action policy with Terri Braun after the November 1996 staff meeting), and that affirmative action clearly was low on the list.

The decisive factor turned out to be that while Charles believes in equal opportunity, he does not believe fully in affirmative action. He told me, for example, that he would not hire a minority who is qualified to do the job unless that individual was more qualified than all 84 of the other candidates. Such a policy can lead to an all-white staff even though many minorities are qualified to do the work. For reasons outside of our immediate control, qualified minorities are less likely to have credentials beyond those needed to do the work. Thus, the qualified minorities are passed over in favor of white applicants who have such superfluous credentials. The result is a staff that doesn't look like the population of people who are qualified to do the work. Thus the Physics Today staff does not look like the physics community, the journalism community, the Washington community or the nation as a whole. As long as Physics Today fails to embrace affirmative action, minorities will continue to be in the subset of applicants

deemed qualified to do the job, but rarely among those actually hired. Thus "equal opportunity" amounts to a de facto "whites only" hiring policy at Physics Today. Historically, affirmative action was instituted to overcome this shortcoming of equal opportunity.

Charles also told me that staff diversity is of no value to the magazine -- except to make the office a more interesting place to work. Therefore the fact that a particular job candidate would contribute to the diversity of the staff counts for nothing, he said.

My own concern about affirmative action at Physics Today was heightened when AIP and the magazine relocated from New York City to College Park four years ago. To fill the editorial openings created by the move, the magazine hired three individuals, all white males -- Ray Ladbury, Denis Cioffi and Steve Benka. None of the three had any journalism experience, but the magazine was willing to train them. (One could view this as an affirmative action program for white males.) If the magazine is willing to hire and train potentially qualified whites, then why not do that for minorities, too?

The managers at Physics Today made two token gestures in response to the pressure that we applied: They told a few organizations of minority scientists about the job opening, and, after they filled the position with a white male, they phoned a few of the minorities whom they had judged to be "promising candidates."

Ever since my disagreement with Charles over affirmative action at Physics Today, he has treated me a little bit like an unwelcome troublemaker. You should be able to verify any point that I have made in this note without attributing it; by doing it that way, you can avoid exacerbating this problem.



27 April 1998

To: Theresa Braun, Director of Human Resources, and James Stith, Director of Physics Programs, American Institute of Physics

From: Jeff Schmidt, Senior Associate Editor, Physics Today

Subject: My 1998 performance review

I am writing to ask that my 1998 performance review be redone. Physics Today editor Stephen Benka wrote the review under the direction of Physics Today publisher Charles Harris. I discussed the review with Benka, who, after consulting with Harris, refused to make any of the revisions that I requested. Therefore I am appealing to you to produce a new review.

The review was not conducted in accord with American Institute of Physics policy or procedures, and the result is not a fair assessment of my work as a feature articles editor at AIP's Physics Today magazine. I am asking you to produce a new review not just in the interest of accuracy, but also as a necessary affirmation that in the future the American Institute of Physics will treat its employees fairly.

The review lowers my performance rating from last year's "4" ("Exceeds Job Requirements") to a "3" ("Meets Job Requirements") even though this year I did more work and more innovative work. Producing feature articles for the monthly magazine is a team effort, and I think that the many staff members with whom I work will testify that my work is better than average.

The biased review that I received is punishment for my organizing activity at the magazine. It is one of a number of recent reprisals for -- and moves to stop -- such activity, in which I have played a leading role in the interest of both the magazine's staff and the physics community. The central retaliatory feature of the review is that it makes what it admits are "new demands," which amount to a sharp increase in my workload.

I have had 17 performance reviews since I began working at Physics Today in March 1981, but until now I have never needed to write a response to one. This time, however, not only is the review inaccurate, but my supervisor, editor Benka, presented it to me with the attitude that performance reviews at AIP are not done with employees, but are done to them. This violates both the letter and the spirit of AIP policy. He acted as if he were not permitted to change the review in any significant way, and so his discussion of its contents was only pro forma.

In this memo I will first describe some of the ways in which the review is inaccurate, and then I will explain how

it is a reprisal for my organizing activity and part of a series of recent attempts to stop me from engaging in any further collective activity at the magazine.

Review inaccurate

I will go over every sentence of the performance review and show how the review plays down or completely leaves out my accomplishments while contriving deficiencies and playing them up. The review has four sections: three sections focusing on my major areas of work responsibility and one section of additional comments.

Article editing

Concerning my article editing work, the review states that "Jeff's articles are generally ready on time and are often early." This plays down my accomplishments and does so deliberately, because management keeps records of deadlines and work-completion dates and is fully aware of what I have done in this regard. The words "generally ready on time" must be changed, because my articles were always ready on time and never delayed an issue of the magazine. And the words "often early" must also be changed, because my articles were almost always early and were often very early.

This is not to say that management can reasonably hold me responsible for the final completion dates of the articles that I work on. They cannot, because the publication process depends upon the work of the magazine's editor and many coworkers, over whom I have no authority. What my review should note is that I always did my part as fast or faster than can reasonably be expected, and certainly much faster than average. At one point during the year, for example, I had two feature articles ready to go to the printer more than a month before the deadline (discussed further in the following two paragraphs). As far as anyone can remember, this had never been accomplished before at Physics Today. My articles came close to the deadline only when the editor failed to meet his deadline for obtaining the articles and giving them to me to edit. I ask that you rewrite this part of my performance review and increase the numerical rating to reflect the resulting more accurate appraisal. I am asking you to do this not just to make my review more accurate, but also to assert that it is not AIP policy to begrudge an employee praise when it is due, even if AIP has a grudge against that employee.

On the issue of deadlines, I would like AIP to use its own performance as the standard for comparison. AIP gave me my performance review more than five weeks late, missing its mid-February deadline and then not even completing the review by the middle of the following month. Benka dated my review 12 March, signed it on 23 March and gave it to me on 24 March.

One big reason that I did more work this year than last year was because management stated that it wanted the magazine to have a backlog of feature articles that were edited and completely ready to be sent to the printer. I supported this goal and produced such articles, but this unprecedented accomplishment is not mentioned in my performance review. Management is fully aware of my accomplishment, as evidenced by the fact that they praised it at a staff meeting.

Working way ahead of the deadline has the potential advantage of avoiding some major inefficiencies (described in the following paragraph), but doing so turned out to involve extra work, because although management asked for and praised the result, they did not support the effort while it was underway. It was left to me to bring about the changes in the workplace necessary to work ahead. The editor consistently maintained a crisis mentality, always giving priority to work for the next issue -- which he always worried would be late -- over work for future issues. Because the work of most employees on a forthcoming issue doesn't end until around the time that the issue goes to press, the editor, with his crisis priorities, never deemed it reasonable to work on later issues. I was able to accomplish management's goal of completing work ahead of schedule only by working directly with the staff team that actually does the work (Rita Wehrenberg, editorial assistance; Paul Elliott, copy editing; Elliot Plotkin, art work; Judy Barker, proof reading; Carol Lucas, photo permissions), and carefully avoiding coming to the overly insecure editor with questions of work priority. I ask you to add this accomplishment to my performance review and raise the numerical rating to reflect the resulting less biased appraisal. I ask you to do this not only to make my performance review more accurate, but also as a way of saying that AIP does not condone biased appraisals of employees.

Another big reason I did more work this year was the inefficiency caused by the magazine's periodic exhaustion of its supply of feature article manuscripts that are ready to edit for publication. It is Benka's responsibility to obtain articles for the magazine. The shortage of articles resulted in a very uneven work flow and forced me to edit some articles close to the deadline, which often meant editing in parallel with the author's making revisions. It is easy for the editor to say "just work in parallel," but such work often necessitates reediting material that the author changes and discarding edited material that the author removes, and a host of other problems. The shortage of articles led me to write to the editor in the middle of the year asking for more work. (See attached memo of 18 August 1997.)

The numbers given in the performance review are all wrong. The review says that this year I "was asked to produce 16-18 articles." In fact, the agreed upon rate was initially 16 per year, not "16-18," the precise meaning of which is not at all clear since there presumably is no upper limit. Benka and I later in the year agreed to reduce the annual rate to 14 and increase the amount of work that I do in areas other than editing, yet the number "14" never appears in my performance review. I ask you to correct this.

As far as the article editing part of my job goes, my production rate is supposed to be measured by the number of articles published in the magazine in the issues March 1997 through February 1998, as is written at the top of the review form. During that year I edited 13 articles (Mahan, Ferguson, Crabtree, Crowley, North, Parsegian/Austin, Harris, Soulen, Libicki, Perl, Ross, Riordan, Mourou), one of which (the Parsegian and Austin combination article) should count as more than one because making it happen involved a lot of extra work. (More about that article below.) Although this is less than the agreed upon goal, it should be deemed acceptable because of the shortage of articles (AIP should not hold employees responsible for doing work that is not available to do) and because of the extra work caused by that shortage and by management's lack of support for working ahead. Please correct the accounting in this part of the review.

The review gives an incorrect reason (a personal reason) for the mid-year change in my job description. The reduction in my article editing goal from 16 to 14, and the corresponding increase in my work following up with authors on articles that have been solicited, was prompted by the magazine's shortage of articles. On 18 August 1997 I gave Benka a note (attached) asking for more articles to edit. On 19 August 1997 he answered with a very defensive note (attached) blaming me in part for the magazine's shortage of articles and at the same time denying that there was any such shortage. He claimed that I was in part to blame, because following up on solicited articles was part of my job. On the same day (19 August 1997) Benka secretly altered my job description, adding truth to his claim that solicitation follow-up was a significant part of my job. When I discovered the change, he and I discussed it and I agreed to make solicitation follow-up a bigger part of my job. I asked him to write me a note saying that my job description had been changed (see 25 August 1997 note from Benka, attached).

The change in my job description, while made official in the middle of the year, should be considered retroactive to the beginning of the year, because the problem it addressed was long-standing and I had long before addressed it on my own: The shortage of articles to edit had already

led me to shift some of my work from editing to solicitation follow-up. Solicitation follow-up is an area in which I make valuable contributions to the magazine. This often time-consuming work includes giving feedback to authors and working closely with them to develop greatly improved articles for the magazine.

Finally, on 2 September 1997 I gave Benka a note (attached) explaining that solicitation follow-up was not the weak link in the magazine's feature article operation. That note, the contents of which Benka never disputed, is an important part of this appeal about my performance review, and as such, I ask you to read it. Please remove from my performance review the incorrect reason given for the change in my job description, and add a statement concerning the magazine's shortage of articles, because it played a crucial role in my work last year.

My work on the Parsegian/Austin combination article is one of many examples of how my performance review leaves out major contributions that I have made to the magazine (while carefully including minor, largely contrived, deficiencies). Physics Today was planning to publish in its July 1997 issue a manuscript by V. Adrian Parsegian of the National Institutes of Health, but the article received a highly negative appraisal from the magazine's external reviewer, Robert H. Austin of Princeton University. This caused a crisis, because the magazine had no article to substitute -- having completely run out of articles -- and because there was no time for Parsegian to make the extensive revisions that were called for by the reviewer.

Based on the nature of Parsegian's article, the nature of Austin's review and my confidence in the critical abilities of the magazine's readers, I suggested a solution: Publish the article and the review. This was unprecedented at Physics Today, but the editor followed my advice, in part because no other solution was apparent. I edited the combination article and review and handled the delicate and protracted negotiations between Parsegian and Austin, who did not trust each other. The solution was innovative, the result was outstanding and the magazine survived a crisis without damage. In fact, the result was better than it would have been had there been no crisis, because the crisis allowed the magazine to break with tradition. Yet the managers, who seem this year to have developed photographic memories for negative things (real or contrived), have completely forgotten about my special contribution to the magazine during the Parsegian crisis. I ask that my work on the Parsegian/Austin article be described on my annual review, as an example of my valuable advice and above-average work. And I ask that my numerical rating be raised to reflect the new, unbiased text.

You might think it strange that even though the review states that I edited enough articles during the year, it

lists the names of some articles that I didn't edit -- articles that were never assigned to me and that I was not expected to edit. That list appears on my performance review as a defensive measure by the editor -- to bolster his claim that under his editorship the magazine does not experience shortages of articles. Soliciting a sufficient number of articles for the magazine is the editor's job, and so the appropriate home for arguments that he has succeeded is the "Employee's Comments" section of his own performance review. Please remove the sentence and its negative connotation from my performance review. (For a discussion of how the list is not even what it claims to be, see the fourth paragraph of my memo of 2 September 1997.) Such lists do not appear on the performance reviews of other employees. The performance reviews of Physics Today news writers, for example, do not contain lists of the countless news stories that they could have written but didn't.

The review lists three articles that I edited (Perl, Crabtree/Nelson, Mourou) and claims that the quality of my work varied. In fact, because of my own standards I do a quality job on everything I do. There is, of course, no objective measure of the quality of editorial work. Articles are inherently different and hold a different appeal to different readers. In my performance review the editor implies that praise from authors is one measure, but he fails to note that we received praise from the authors of all three articles. Martin Perl, winner of the 1995 Nobel Prize in Physics, wrote to me and said "Thank you for changing my ugly duckling of a manuscript into a beautiful swan. You have done a wonderful job." I have attached a copy of his note along with a note from George Crabtree of Argonne National Laboratory praising our efficiency, competence and high production standards; Mourou delivered his praise in a telephone call.

It is true that the changes that Benka mentions making in the Mourou article were improvements that other staff members or the author might not have made at one of the later stages in the processing of the article. However, it is wrong to use this as the sole factor in judging the quality of work on the entire article, which would have been excellent even without Benka's improvements. And it is even more wrong to use it to judge an employee's entire year of work. Stephen Benka knows this. He knows, for example, that AIP management will not judge all of his excellent work on the Mourou article solely by the fact that he tried to introduce a mistake in the article's opening paragraph -- where he crossed out "30 angstroms" and wrote in "300 nm" and had to be corrected by the Article Editor. And he knows that his supervisors certainly will not judge his entire year of work in part by this mistake. He would see mentioning it on his annual performance review as petty, mean-spirited and sure to make team work impossible because it would give the impression that no error is too small for

the people that he works with to silently note and use against him months later. Please remove from my performance review the entire subjective sentence about the three articles.

Solicitation follow-up

Concerning my solicitation follow-up work, the performance review understates the quality of my work and rates me only slightly above average. The only activity mentioned is that I "regularly nudged authors and reviewers whose items were pending." This is actually the smallest part of solicitation follow-up work. The biggest part, at least for the articles that I work on, is giving detailed feedback to the author and working with the author to develop a much better article. I often go way beyond the call of duty, taking extra time to work closely with authors to improve the final result. I am prepared to supply written evidence showing that my work in this area is exemplary. Please change the review so that it more accurately portrays my work in this area, and raise the numerical rating from the present stingy "3.5."

Advice

Concerning the advice that I offer on editorial and other matters, my supervisors have suddenly (that is, within this review period) started looking for ways to prove that the advice I offer is bad. Coming up empty-handed, they have contrived two examples, one of which is a new, negative interpretation of advice I gave in an earlier review period. My 1998 performance review says, "Jeff's reviews of manuscripts have been completed more promptly than in the past, although they were somewhat less helpful." It is simply not true that my advice was less helpful this year. My comments on manuscripts often went beyond the minimum requirements and spelled out in detail what should be done to produce a publishable article.

As evidence that my advice is less helpful, the performance review gives only the following example, which is presumably my most deficient piece of work in this area for the entire year: "In his review of one Letter to the Editor, for example, he showed questionable judgement in his assessment of the physics competence of the authors of the Hubble Deep Field article (April '97)." There is absolutely no truth to this charge; its only value is that it reveals the bias of those who made it. I demand that my work on this letter be evaluated by an unbiased individual. James Stith, I would like you to be that individual, not because it is your job to handle appeals from Physics Today, but because your long-standing interest and expertise in physics education qualifies you to evaluate my work on this letter. All work on the letter was done in writing, and so you have a 100% complete record to review (attached). I challenge

you to find anything in my work on the letter for which I should be punished.

Here is a five-step summary of the facts of the case:

1. I edited an article by Henry Ferguson and two coauthors for the April 1997 issue of Physics Today.

2. Robert Weinstock, an emeritus professor of physics at Oberlin College, submitted a letter to the editor saying that he didn't understand how astronomers could look back more than half the age of the universe, as a photo caption in the article said. "This claim seems strange to me," wrote Weinstock, "for radiation emitted so long ago must have had its source so close to Earth at the moment of emission -- according to the generally assumed big-bang origin of the currently expanding universe -- that it would have reached Earth [long ago] . " He ended his letter by saying that "If there is something wrong with my analysis, I shall be grateful to have it explained to me."

3. I thought Weinstock asked an intriguing question and that many of our readers would also be grateful for an explanation (and would value a magazine that gave them such explanations). Here, in its entirety, is my review of the letter: "I think a lot of our readers would appreciate an answer to the question that Weinstock raises. I suggest that we publish a shortened letter (see enclosed edited version) along with an answer from Ferguson." (The parenthetical words were part of my review.)

4. To my disappointment, the response from Ferguson and his coauthors was based completely on equations, with no explanation of what was going on. I wanted a physical explanation, not a mathematical one. So I recommended that we ask Ferguson & Co. for something very simple. Of course, as good science writers and teachers know, an explanation that is simple and without equations is sometimes much more difficult to produce. Sometimes when scientists don't have a Feynman-style intuitive understanding of a particular issue, they take refuge in equations. That is, sometimes authors don't understand the physics of every item that they report in their articles. I have encountered this countless times over the years while questioning authors so that I could clarify something in their articles. Sometimes they say: I don't know, my coauthor wrote that part of the article. Or they say: I don't know, I got that from So and So's paper in such and such journal. So in my review of Ferguson's letter I warned that this was one possible reason why we got only equations. I figured that if we were aware of this possibility, then we wouldn't go back to the authors again and again in a futile effort to get something that they were not prepared to supply. Here, in its entirety, is my review of Ferguson's letter: "Weinstock's question should get a physical explanation as an answer, not a

mathematical one like this. I say drop the mathematical one, don't just add the physical one to it. Perhaps ask Ferguson & Co. to write what they would say to a high-school student (or radio audience) who noticed this seeming contradiction. One possible reason that Fergie & Co. answered as they did is that they don't really understand the physics."

5. Benka rejected my suggestion that we ask Ferguson for a simple answer, and, ironically, punished me seven months later for not being fully confident that Ferguson could have provided such an answer. Because my advice was rejected, Physics Today readers ended up seeing no question from Weinstock and no answer from Ferguson.

You can see clearly now that while my performance review says, "he showed questionable judgement in his assessment of the physics competence of the authors," I in fact never made any assessment of the physics competence of the authors, positive or negative. Even if I had made such an assessment, the Physics Today managers did not and cannot accurately claim that the advice it led me to give was anything less than excellent. Their relentless search to find fault with my work, and their twisted and biased evaluations of my work when it contains no real fault, raise serious questions about their professionalism as managers and certainly disqualify them from judging my performance. If you judge that I did good work on the letter, as I claim, then I ask that my performance review mention that work as an example of my routine interest in serving the magazine's readers, and that the numerical rating on my review be raised to reflect the new, unbiased assessment. I ask AIP to make these adjustments not just to make my performance review more accurate, but more importantly as an urgently needed announcement that AIP will no longer use performance reviews to punish employees who raise troubling workplace issues.

As with every other part of my performance review, Benka refused to make any changes in this part of the review when I pointed out its inaccuracy. I asked him if he had any other examples of my supposedly bad judgment. All he could think of was something from an earlier review period: my suggestion that Physics Today try to get G. Pascal Zachary to write an article about Vannevar Bush. Zachary is a journalist -- one of the best in the country, I think -- as well as a history of science scholar. I had learned that he was writing the first ever biography of Bush, who was the first presidential science advisor and an individual who played a key role in shaping the federal science policy that prevailed for decades after World War II. After I proposed this article at a staff meeting, Physics Today publisher Charles Harris spoke about it with AIP history division postdoc Joel Genuth, a friend of Harris's at the time. I spoke with Genuth, too. Genuth advised against the article,

because Zachary was not a mainstream thinker -- quickly adding that he (Genuth) was "no slouch" and could write the article for Physics Today. At a subsequent staff meeting, I reported positive evaluations of my proposal from more established science historians and argued that our readers could handle Zachary's point of view. But Harris stuck with Genuth's review, and so that was the end of my proposal.

Now, more than a year later, during the discussion of my 1998 annual review, Benka has put a new, totally negative spin on my work on the Zachary proposal. To my surprise, when he mentioned my judgment in the Zachary case, Benka showed no sign of embarrassment, apparently completely unaware that Zachary's book was recently published to widespread praise and attention. The vast majority of books are not reviewed anywhere, but Zachary's Endless Frontier: Vannevar Bush, Engineer of the American Century (The Free Press, 1997) was both widely and positively reviewed by well-respected experts writing in major publications. (Please read the attached reviews.) Apparently, the official Physics Today line now is that Zachary managed to hoodwink major American publications and experts -- but not Physics Today. Again, because my advice was not followed, Physics Today readers missed out on what surely would have been an interesting article. Yet I am the one whose judgment is being questioned -- for reasons that I will explain below.

I ask that my performance review be corrected so that my judgment, and its value to the magazine, is discussed positively rather than negatively. I would like my work on the Zachary proposal to be mentioned as an example of the fact that I offer ideas of merit even though I am not expected to be a major source of article or story ideas. I ask that the numerical rating be raised to reflect the new positive evaluation, and that the rating be above average to reflect the fact that I offer more than the required advice. I request that AIP make this change not just to make my performance review more honest, but more importantly as an implied announcement that AIP will no longer prejudice performance reviews against employees who raise awkward workplace issues.

Additional comments

In the handbook that is given to all employees, the American Institute of Physics promises that the annual performance review will feature a discussion of "mutual goals." (Employee Handbook, page 18.) Without explanation, this year Benka followed neither the letter nor the spirit of this policy, and didn't even pretend to be interested in what direction I might want to go in my work at AIP. The discussion was unlike anything I have experienced in previous years. He simply announced a big change in my job description -- an increase in my workload by as much as

three months' worth of work per year -- and discussed it as if he were giving orders to a machine. Over the years my job description has changed many times (the most recent change being on 25 August 1997), but never by unilateral management dictate, without discussion and mutual agreement. For reasons that I will explain below, I think this change, and its unilateral imposition in violation of American Institute of Physics policy and usual practice, is punitive.

The written review accurately calls the change "new demands." But it inaccurately implies that other Physics Today staff members are meeting such new demands. My coworkers have experienced no such major increases in their workloads either voluntarily or by management order (except in one or two cases in which individuals have voluntarily renegotiated their job descriptions, job titles and salaries). My coworkers and I work hard and cannot reasonably be expected to take on additional work. Among my coworkers who have not stepped up their workloads are Gloria Lubkin, Barbara Levi, Bert Schwarzschild, Charles Day, Irwin Goodwin, Carol Lucas, Toni Feder, Jean Kumagai and Warren Kornberg.

The 25 August 1997 agreed-upon change in my job description reduced my article editing work to 70% of my time (14 articles per year) so that I could increase my work in other areas, which I have done. Now, just a few months later, AIP is using my performance review to arbitrarily increase my annual article editing load to 18 -- a 28 percent jump. The performance review also changes my job description to add a significant load of clerical work (keyboarding) to my job for the first time in my 17 years at the magazine. Other editors who work better on paper (for example, the book review editor and the copy editor) are not being told to change the way they work or to take on the associated clerical work. This clerical work, which includes keyboarding the dozens of changes made by the copy editor, could take as much as a few days per month, depending upon the article. It would lower the overall efficiency of work at the magazine, because the time spent on clerical work would, of course, reduce the time available to do other work such as article editing and article solicitation; instead of paying \$15/hour for clerical work, AIP would pay \$30/hour. Like many people, I do better work on paper than on a computer screen (and a long-standing back problem precludes long sessions sitting in front of the screen anyway). I ask that support staff be made available once again. Even if management had a valid reason for adding clerical work to my job, that reason cannot be a new one. What is new is that, for reasons discussed below, management has suddenly gotten "on my case" and is taking a hard-line on every issue.

In Benka's pro forma discussion with me about my performance review, he never asked about the direction in

which I would like to go on the job. If I were able to take on additional work, I would like that additional work to be somewhat different from what I am doing now, to provide some variety and to contribute to the magazine in a different way. When I explained this to Benka, he acted uninterested and reassured his uninspiring, unilaterally developed plan for me, which is to do the same work, only a lot more of it.

Reprisal and repression

The American Institute of Physics is making a strong effort to prevent Physics Today staff members from pursuing workplace grievances in an organized way. Problems are to be discussed with managers on an individual basis only, we have been told. (Message transmitted to staff through warnings to Graham Collins and in other ways.)

Physics Today staff members have many legitimate concerns. Many believe, for example, that the company fails to provide conditions of employment appropriate for professionals. According to my philosophy, if there is a problem, then everyone who is in a position to address it has a moral obligation to do so. Thus, problems at the magazine are everyone's business -- the business at least of everyone who works there. Even though management doesn't see it that way, I have always tried to do whatever I could to help solve problems that arise, whether or not they affect me directly. You, too, are in a position to do something about the problems at the magazine, and therefore I think you have an obligation to do so, for the sake of both the magazine's staff and the physics community.

During the discussion of my performance review, Physics Today editor Stephen Benka condemned my organizing activities at the magazine and said bluntly that such activity "is not going to be tolerated anymore." He characterized the staff actions in which I have played a leading role as nothing more than "disruptive," rejecting my view that the source of the problem is management's failure to address staff grievances. A workplace in which unity is discouraged, as it is now at the magazine, is disruptive. The low morale, the inability to confront problems, the loss of talented and dedicated staff due to a love-it-or-leave-it atmosphere -- these consequences of management policy are disruptive and wasteful.

Physics Today publisher Charles Harris has made it clear to me and to many staff members (names withheld) that our activities have infuriated him. And American Institute of Physics Executive Director/CEO Marc Brodsky has characterized some of my activities, presumably reported to him by Harris, as "counterproductive" (20 March 1998). It is clear that Benka's hard-line attitude toward me is an attempt to redress Harris's and Brodsky's grievances with

the staff -- in particular, with those staff members whom Harris has identified as ringleaders. (Harris's ringleader theory insults the staff, because it implies that staff grievances arise not because of real problems in the workplace, but because an evil few have corrupted the minds of happy but gullible staff members and led them astray like children.)

In this memo I will be open about my organizing activities at Physics Today, because the problems at the magazine call for an organized response and because the physics community strongly supports physicists' right to organize without fear of reprisal. The latter point is evidenced, for example, in the community's many years of support for Soviet physicists who were punished for organizing, and in its concern today for physicists in other countries who face similar repression. In any case, freedom to address workplace problems is a necessary component of a truly democratic society.

Management is attempting in two ways to prevent the Physics Today staff from pursuing collective grievances--by punishing those who speak out the most and by maintaining an increasingly repressive workplace atmosphere. My lower performance rating and subjection to an arbitrarily revised job description that makes "new demands" are punishments for taking up staff grievances. What follows is a discussion of a few of the collective staff activities in which I played a leading role and for which management criticizes me. Included is a discussion of some of the repressive measures that management has taken in response to those activities. The discussion should make it clear that my review is only one part of a series of recent attempts to stop me from promoting or engaging in any concerted staff activity.

1996 retreat

During the discussion of my performance review, Benka criticized me for my activities around the 19-20 November 1996 Physics Today retreat. Before that two-day meeting, I and some coworkers (names withheld) developed and distributed to the entire staff a list of changes that we wanted made at the workplace. We presented these requests in the form of a proposed agenda for the retreat. Fearing reprisals for making requests that might not please management, we did not disclose our names. However, the fact that I played a leading role was known to all. Job security was our highest priority, and so our demand for that topped our list. (See item 1 in attached document of 15 November 1996.) Other requests included staff involvement in workplace dispute resolution (item 4), better distribution of job tasks (item 5), affirmative action in hiring (item 8), and conditions of employment appropriate for professionals (the other items).

Salary equity

I worked with other staff members to demand pay equity at Physics Today. On behalf of those of us who were pushing for this, I told the Physics Today advisory committee at their 4 October 1996 meeting that the large salary differentials among the staff were not only unfair, but also divisive and bad for morale and productivity. I raised the issue at various staff meetings as well. Management was not pleased by the pressure we applied, in part because it forced them to give a staff member (name withheld) a special 25% salary increase, beginning on 1 June 1997.

Affirmative action

Management's anger at me increased dramatically, and never subsided, when I worked with Jean Kumagai and other staff members (names withheld) to assert the need for equal opportunity and affirmative action in hiring at Physics Today. We raised the issue when Ray Ladbury left the magazine, creating an opening on the editorial staff. (His replacement, Charles Day, started work on 2 June 1997.) I spoke out strongly on the equal opportunity and affirmative action issue, because Jean and I and the others didn't think Physics Today or AIP management took it seriously. Our concerns were largely ignored, and so, later in the year, we decided to bring the problem to the attention of the Physics Today advisory committee at its annual meeting, held 17 October 1997. On behalf of the concerned staff members (names withheld), I brought the matter to the committee's attention.

One week later, on 24 October 1997, American Institute of Physics Executive Director/CEO Marc Brodsky called me and said that I had made "a very, very serious charge." (Detailed notes available.) He directed me to meet with him and defend my charge, and I did so on 5 November 1997. At that meeting I gave Brodsky a note summarizing the important points. Rather than repeat those points here, I am attaching a copy of the note. (See note of 5 November 1997.) That note is an important part of this appeal about my performance review, and so I ask that you read it.

At my meeting with Brodsky I also pointed out that AIP had failed to conduct the affirmative action training that it promised to conduct in its 284-page "1996 Affirmative Action Program for American Institute of Physics." (See attached excerpts.) Among the many promises that AIP makes in that 1996 document is that "During the current plan year we will be conducting training for all employees about our affirmative action program and equal employment opportunity in the workplace." I pointed out to Brodsky that AIP did not conduct the promised training. He countered by saying that he was pretty sure that he mentioned affirmative action either at the one-hour question-and-answer session that he

held on 20 June 1996 or at the Q&A meeting that he conducted for employees at AIP's facility in Woodbury, New York. (I recall no such mention at the 20 June 1996 College Park meeting.) He indicated that this mention was the promised affirmative action "training."

Brodsky said he would look into affirmative action at Physics Today and tell me what he found. After a 4.5-month investigation, he met with me on 20 March 1998 and reported that he found that Physics Today's affirmative action program was doing very well. He said he judges the program by its results. (This was mysterious, because as of 20 March 1998, the Physics Today staff in the College Park office was all white; out of a staff of 18, the magazine had only one minority employee, working from New York.) I asked again about the promised affirmative action training. This time he said he was sure that he had mentioned affirmative action at both 1996 Q&A meetings, and he again indicated that such mention was the promised affirmative action training. After extensive questioning, he said that such mention was "part of" the promised training. I asked him when the rest of the training would be done, and he promised to look into that. In the end, I told Brodsky that we still believe our concerns to be well founded and that we are disappointed with his response. Apparently in Brodsky's view, however, the upshot of what happened is that I leveled serious, totally unfounded charges at AIP, and he is not happy about that.

1997 retreat

Management's anger at me increased yet again (and has not decreased since) when I helped raise staff concerns before and during the 25 September 1997 one-day Physics Today retreat. Before that meeting, I played a leading role in producing a list of proposed agenda items that represented a few of the many staff concerns. A majority of the staff supported it, and half of the staff signed it. (See attached e-mail message of 18 September 1997.) The top item on that list was a request for greater staff participation in decision making. The days leading up to the meeting saw much debate between management and many staff members over the meeting agenda, which management was formulating: Harris became upset that the staff wasn't embracing his agenda, and he began treating me and my coworker Graham Collins as ringleaders on the staff side, apparently becoming permanently angry at us.

At the retreat itself I asked if staff members could ask questions. Harris said no. I then said that I thought that we should be allowed to ask questions. Harris angrily said "No, That's an order!" Some days after the meeting he explained that he thought my request for the right to ask questions was another attempt to promote the staff agenda. At the retreat and in subsequent weeks, a number of brave

coworkers openly criticized Harris for the way in which he shut me up.

Gag order

After the retreat Harris put a gag order on me, handing me a written "notice" that implied that I would be fired the next time I said anything that Harris considered to be "counterproductive." (Document dated 26 September 1997 withheld.) This outraged many of my coworkers, who saw my forced silence as against their interest. They openly criticized the gag order, forcing Harris to rescind it. (Electronic mail message of 2 December 1997 withheld.) He did so reluctantly and without any decrease in his anger toward me.

Appeal to advisory committee

The gag order was just one of many management actions that strongly discouraged staff members from raising grievances of any sort. In an effort to get this chill lifted, a number of staff members (names withheld) decided to appeal to the Physics Today advisory committee at its annual meeting on 17 October 1997. We made our appeal to the committee, which reports to AIP's top management, in writing (memo of 17 October 1997 withheld) and in individual oral presentations. Our written note was titled, "Freer Atmosphere Needed at Physics Today" and began, "At Physics Today there is an increasingly repressive atmosphere that discourages staff initiatives...." The memo described how Physics Today staff member Graham Collins had also been warned about speaking up about workplace problems. It contained the following paragraph: "Both Jeff and Graham have been outspoken about problems that many of us see at the magazine. We feel that the lecture to Graham and the written notice to Jeff both contribute to a repressive atmosphere at the magazine and restrict all of us. We hope the advisory committee will do whatever it can to get these warnings retracted, and to remind the PT managers that repression is counterproductive. Such steps would go a long way toward diminishing the fear that staff members now associate with trying to openly address problems at the magazine."

Harris has harshly criticized me for my leading role in the presentations to the advisory committee, telling me and others (names withheld) incorrectly that I tried to get him fired. He sees this as an unforgivable offense that obligates him as a matter of manly honor to fire me or eventually drive me out and that gives him the moral right to do so by any means. Those means include steps that appear honest to outsiders but are not -- such as the present performance review, which imposes an unattainable goal that can be used against me a year from now when it has

not been met. When I explained to Harris that neither I nor the other staff members involved tried to get him fired or even wanted that to happen, he replied that I was either naive or lying. (I still do not want him fired, but I can no longer speak for others on this point. Respect and support for Harris by other staff members, including some not involved in our collective activities, have deteriorated sharply.)

Ban on my private conversations

In pursuit of his agenda, Harris has evidently given Benka license to go after me and other perceived management enemies on the staff. I will briefly describe here a recent example. (A more detailed account is available.) At about 6 pm on Wednesday 28 January 1998, I was in my office talking to my coworker Toni Feder on the telephone when Benka opened the door and asked rudely and sarcastically if I was talking to one of our authors. I said, "No, I'm talking to a coworker, Toni." He acted as if he already knew that. He stepped further into my office and said that he wanted in on our conversation. This was unprecedented and frightful. I switched Toni to the speakerphone and told her that Stephen Benka was here and wanted to be in on our conversation. She sounded equally shocked. Benka suggested that she walk over from her office to mine, and she said OK. I then walked out of my office and into the open area of desks just outside, and Benka followed. I did this to make room for Toni and to get some physical distance between myself and my supervisor, who was clearly behaving very strangely.

After Toni arrived, Benka asked us what we had been talking about on the telephone. I thought his question was way out of line, but I answered it anyway: We had been discussing the May 1998 50th anniversary issue of Physics Today. But after giving that short answer, I said that the important question is why he was trying to barge in on our conversation.

He answered by announcing that Physics Today management is forbidding all private conversations between staff members at work. From now on, all conversations between staff members must be open to management supervision, he said. When I asked him why, he referred to the organizing activity that took place last year and said that he doesn't want that to happen again. This smelled like a retaliatory and repressive policy aimed primarily at me, and so I asked him whether or not it applies to everyone. He said it does. I didn't believe him (but I didn't say that I didn't believe him), and so I pressed him three or four times to say whether or not he was going to announce the new policy to the rest of the staff. His final statement was that he knows that I want to know that.

The policy was never formally imposed on the rest of the staff, of course. But news of management's anger at private conversations spread quickly throughout the staff (yes, by way of private conversations). Even though the totalitarian policy officially applies only to me and Toni, it has put a chill on everyone's expression and has contributed to the repressive atmosphere at Physics Today.

Physics Today loses Graham Collins

In this memo I have for obvious reasons focused on my own case. But I don't want to leave the impression that management is critical only of me. In fact, they target any employee who speaks out about workplace problems. My most outspoken coworker, Graham Collins, was also the subject of a gag order and other reprimands for saying what many on the staff were thinking but were afraid to say. (Graham's gag order and mine were lifted at the same time.) I won't explain here how management irresponsibly made leaving the magazine Graham's best option. The details are available elsewhere. But with permission from Graham and all involved, I am attaching a copy of a note to Graham that I helped write after he submitted his resignation. (See attached note of 16 March 1998; authors' names withheld.) Please read the note as an integral part of my performance review appeal, as it contains a number of important and relevant points not made elsewhere.

'On my case'

As I mentioned above, management is now "on my case," and so my work is now subjected to greater scrutiny. Without precedent, the magazine's management recently examined and criticized some of my work before I completed it. (That was my work on the first of the five decade sections for the May 1998 50th anniversary issue of Physics Today.) Ever since the 1997 retreat, Physics Today publisher Charles Harris has given me the impression that I am being monitored. After the retreat he attended almost every magazine department meeting that I attended -- meetings that he had only rarely attended in the past. After some meetings, he commented privately to others about my performance.

Your moral responsibility

Physics Today's new love-it-or-leave-it policy, mentioned in the 16 March 1998 note to Graham, implies that the magazine's problems originate in the staff. Keeping the focus on the staff is not simply a harmless way that management diverts attention from itself, but is extremely costly. In the short time since Graham submitted his resignation, editor Benka's assistant Susan Funk has quit in frustration, and publisher Harris's assistant Carol Lucas has resigned. The loss of experienced staff, the

discouraged state of many of those who remain, the repressive atmosphere's toll on creativity -- in general, the frustration of those who want their job to be more than a simple exchange of time for money -- in these and other ways current policy wastes the resources of the physics community. You have a responsibility to undo the current widespread cynicism at Physics Today by making staff-initiated change possible.

18 August 1997

Steve --

As I have noted in many conversations and memos over the years, I work most efficiently in my job of feature article editing when I have articles at all stages of development. That means, for example, some articles that have just been solicited, some that have been submitted and reviewed, and some that have been revised by the author and are ready to edit.

As you know, our supply of articles in the last category has followed a "feast or famine" pattern -- mostly famine. This has held down my productivity to the point where I cannot afford to take the full 30-day vacation that I recently requested (and that you approved) and still meet my annual article editing goal. So I am thinking about cutting that vacation in half, perhaps, and using the rest of my vacation time at some later date. I won't be able to work out the details until some articles in the last category trickle in and I can draw up a schedule.

As of today, we have received neither of the two manuscripts that I am going to edit for the December issue. I would be working on them now if we had them. The Riordan manuscript, for example, is not expected to arrive until around the time I had planned to go on vacation. And I have no articles that I can edit now for issues following December. I would like to edit two articles for the January issue and two for the February issue, but I will not be able to do that under our usual famine conditions -- I will need to have the manuscripts much earlier than I have been getting them. If today I had four manuscripts ready to edit for those two issues, I could work on all four simultaneously, using my time to greatest advantage. I think you will agree that the magazine should be in a position where such productivity and advance work is routine.

Given the status of the December manuscripts, a 30-day vacation as planned would compromise my ability to edit two articles for that issue. I would like to take a shorter vacation and continue working at home much of the time, as long as that continues to work well. Please let me know if that is OK, and in any case please see how soon I can have four articles that are ready to edit for the January and February issues.



S 000543

August 19, 1997

Jeff,

It is the responsibility of the article editors at Physics Today to produce finished articles starting from any point in a given article's development.

Thus the responsibility of generating "ready to edit" articles is in part yours. For one example, we had agreed that you would obtain Colson's article on free-electron lasers, and have it edited in case we needed it for an emergency fifth article in the October special issue on the electron; otherwise we could drop it into the magazine a month or two later. Fortunately, we don't need it for the special issue; to my knowledge you have yet to acquire the article.

You were my first choice to edit several articles in late stages of development in the recent past, but turned them all down: Fink (March); Cohn (May; I edited that one, while you edited none that month); Jeanloz to edit with Soulen (August); a second article for October (you were reluctant to take Perl); Kasap for November.

As recently as two months ago, when you wanted to take paternity leave (which I OK'ed), you told me you didn't want any additional articles through the end of this year. As noted above, I offered you some anyway and you turned them down. You expressed no interest in articles, so I left you out of my plans for them.

I understand your special circumstances and once again offer you my heartfelt congratulations on the birth of Joshua Rose. If you are now ready once again to accept the responsibilities that go with feature articles, I can supply you with as many as you want. The articles that are currently "ready to edit" have been assigned to others. Nevertheless, I am sure we can reach a mutually acceptable state of affairs.



S 000544

PHYSICS TODAY

from Stephen G. Benka

Jeff, As we discussed,
as of today we are shifting
your job tasks slightly:

Actual editing goes from a
weight of 80% to 70%.

Following up on solicited
articles goes from 15% to 25%.

—Steve
8/25/97

2 September 1997

Steve --

Thank you for responding to my note of 18 August 1997, in which I ask for more work -- specifically, more feature-article manuscripts that I can edit for publication in the magazine ahead of deadline. I was dismayed to find that instead of welcoming my request, your response focuses on assigning blame for the lack of such manuscripts and goes on to deny that we have any such deficiency.

You base the first part of your response on the fact that Physics Today staff members do follow-up work with the people whom you have invited to write articles for the magazine. You note that these staff members are therefore "in part" responsible for obtaining manuscripts that are ready to edit for publication. All this is true, but our severe shortage of such manuscripts is not due to deficient solicitation follow-up work by the staff as you imply. The article editors on the staff have, in fact, done a good job of following up on solicited articles -- staying in contact with the authors and working with them to produce the articles that you have asked them to write. If you think you could do better than we do, you should share your secret. For whatever it is worth, my experience is that when a conscientious and hardworking staff is blamed for a long-standing problem, the diagnosis is usually incorrect, and an incorrect diagnosis is an impediment to a real solution. (In my own case, according to my job description, solicitation follow-up has been a small part of my job; but I work at it conscientiously, and on my latest annual review you said that I do above-average work in this area.)

No, the problem is not your staff's lack of competence in its follow-up work with authors. The problem is simply that the magazine has solicited far too few articles. This has had unfortunate consequences, not only for the staff (as my note of 18 August 1997 describes for my case), but also for the magazine's subscribers. In the past three years I doubt that we have had even three months in which we have had a backlog of manuscripts ready to edit. Typically, the editor scrapes each issue together in a near-crisis atmosphere, after a desperate search around the office for manuscripts that may have arrived -- or that are said to be "in the mail." The lineup of articles in most issues of Physics Today is thus dictated by forces beyond our control.

Your listing of manuscripts that you say you offered to me begs the question of giving me more manuscripts that I can edit and prepare for publication, because we did not have the manuscripts on your list. In your own words, they were "in late stages of development." I should point out that even manuscripts that you consider ready to edit often are not. And when the shortage of manuscripts forces us to schedule incomplete manuscripts for near-term publication, we often have to pressure authors to work with us under undo

time pressure. This is unfair to both the author and the Physics Today staff, because it deprives them of the opportunity to do their best and therefore most satisfying work. The largest group to suffer, of course, are the readers. I don't know how many of the articles that you listed fell into that category, because I did not work on those articles.

As I said in my memo of 18 August 1997, I think article editing work is done most efficiently when it is done well ahead of the deadline. So in general I seek to work in advance and am reluctant to take on articles that, due to the shortage, will necessarily have to be done at the last minute, often after I have already scheduled work on other articles and often well after any reasonable deadline for submission. Month after month our work should not consist of "rush jobs" for issues that are upon us. I would have taken on the articles in your list if they had been scheduled for later issues -- or, even better, if they had not yet been scheduled for specific issues. But because of our serious lack of manuscripts, it has almost never been possible to work ahead.

In your response you say that I "agreed" to obtain William Colson's article by a particular date. This cannot be true. There is no way that I or any other Physics Today staff member could credibly "agree" that Colson and his coauthors would finish writing their article by a date that you picked arbitrarily. Only Colson and his coauthors -- all volunteers, remember -- could do that, and they did not. We cannot suddenly and unilaterally spring a short deadline on an author. The most we can do is ask our authors if they can meet such a deadline. Over the years you have asked many authors whether or not they could meet particular deadlines that you had in mind, and you have accepted later deadlines when they told you what they could do. Just because you are now talking to a staff member, rather than directly to the author, doesn't mean you can "just say article" and have it appear.

In the final paragraph of your response to my request for manuscripts, you boast: "I can supply you with as many as you want." This is simply not true. In fact, when we spoke after I received your response, you could not supply even one manuscript that I could edit for the January issue, the February issue or any subsequent issue. Of course, we will eventually come up with something to fill the holes in those issues. But, as usual, that is not likely to happen soon enough to allow us to work ahead. I am sure we could continue to pretend that this modus operandi is not a serious problem -- after all, we have managed to get by with it for a number of years. But it takes an unnecessary toll on many people, and so I think we have a moral responsibility to the staff (article editors, editorial assistants, art editor and copy editors), authors and

readers to solve the problem. I think the obvious first step is to admit that we do have a serious shortage of manuscripts and that the shortage leads to the problems that I have described here and in my note of 18 August 1997.

As I mentioned above, solicitation follow-up work has been only a small part of my job -- at least that is what I thought. When I saw how much you emphasized it in your response to my note, I took a look at my job description and noticed that such work was a bigger part of my job than I had remembered. Upon further investigation, however, I discovered that you had altered my job description after the fact to add truth to your claim. Indeed, the altered job description was dated 19 August 1997, the same date carried by your response to my note. For future reference, let me say here that I and other members of the staff prefer an above-board management style, where, for example, important changes are pointed out to people rather than being left for them to discover -- or, perhaps, not discover. In any case, you and I discussed the change in my job description on 25 August 1997, and I agreed to it. Thus, I will increase my solicitation follow-up work by about 2/3 and reduce my article editing by 1 part in 8. (I will continue to spend the large majority of my time on article editing.) Because of my preference for doing things above-board, I asked you to write me a note describing the change in my job description, and I thank you for doing so.

For the record: In your response to my note, you say that you OK'd my request for paternity leave. My recollection is that you neither approved it nor denied it, because I withdrew my request before you responded.

So that we don't wander too far from the original issue, let me repeat that I made my 18 August 1997 request because I felt that I was being held responsible for a particular amount of work (my annual article-editing goal) while being made to work so inefficiently that I could not do that amount of work -- at least not with sufficient time left over to take some time off. My revised job description will lessen slightly my need for ready-to-edit articles, and so should provide some relief in this area.

The Riordan manuscript has just arrived, and I would like to work on it now, so as to finish it as far ahead of the deadline as possible. Unless you tell me otherwise, that is what I will do. Perhaps I will take some vacation time later, depending in part on what other work comes in.



S 000548

From: Martin L. Perl <martin@SLAC.Stanford.EDU>
To: Jeff Schmidt <jds@aip.org>
Date: 2 Sep 1997 (Tue) 17:13
Subject: Leptons After 100 Years Article

Dear Jeff

Thank you for changing my ugly duckling of a manuscript into a beautiful swan. You have done a wonderful job.

I have the following comments:

Page 35, column 2: the ***** in "See box 1 on page ***** 36 has not been inserted yet.

Page 39, column 2: the ***** in "See box 2 on page ***** 40 has not been inserted yet.

Page 36, bottom equation in column 2: space required between virtual and Z_0 .

Page 38, Figure 4: TAU DETECTION scheme might be changed to TAU DETECTION apparatus.

Page 40, Box 2, column i: yes, each h should be an h -bar.

Page 40, References: the names in Ref. 3 are spelled correctly; in Ref. 10 the page number is 2074; in Ref 16 the page number is indeed 79c, it is a conference proceedings and every page has a c added to the page number.

Thank you so much Jeff for all your help and guidance. I am greatly looking forward to the issue.

Sincerely yours

Martin Perl

S 000549

From: "George Crabtree" <george_crabtree@qmgate.anl.gov>
To: "Judy Barker" <jbarker@aip.acp.org>
Date: 15 Apr 1997 (Tue) 19:24
Subject: Vortex Article

Subject: Time: 5:26 PM
Vortex Article Date: 4/15/97

Dear Steve, Jeff, Barbara, and Judy,
I just received the offprints for our article on Vortex Physics in the April issue of Physics Today. What fast service! The article looked very good in the magazine, and I got a warm feeling on finally seeing it in print. Thanks to all of you for your efficient and competent efforts to bring the article out. For David and me, it is gratifying to see the fruits of our work appear with such high production standards. Thank you all once again.

Sincerely,
George Crabtree

CC: "David Nelson" <nelson@cmt.harvard.edu>

S 000550

Letter to the Editor
Review Form

MS Number: L-9705-527-U
Author: Weinstock, Robert

Title: Comments on "Probing the Faintest Galaxies, April 1997"

Review by: js Date Assigned: 5/22/97 Date Completed: _____

Accept Reject Staff Revise Author Revise

I think a lot of our readers would appreciate an answer to the question that Weinstock raises. I suggest that we publish a shortened letter (see enclosed edited version) along with an answer from Ferguson.

-JS

Please return to Susan Funk by 5 June 1997. Many Thanks!

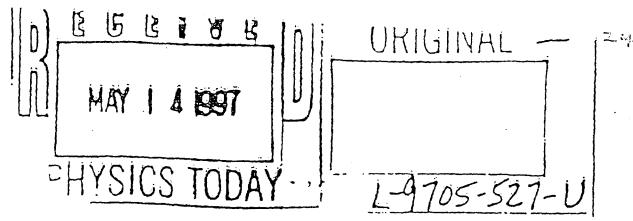
Review by: _____ Date Assigned: _____ Date Completed: _____

Accept Reject Staff Revise Author Revise

OK. Get Ferguson's response.

-Steve 6/3/97

S 000551



Letter to Physics Today:

In "Probing the Faintest Galaxies", by Ferguson, Williams, and Cowie (April 1997), the caption to Figure 1 reads, in part, "For most of the galaxies in the image, we are looking back more than half the age of the universe".

C.S.
This claim seems strange to me; for radiation emitted so long ago must have had its source so close to Earth at the moment of emission — according to the generally assumed big-bang origin of the currently expanding universe — that it would have reached Earth, if at all, well before the era of telescopes, spectrometers, and, of course, us. That this is so springs from the fact that no source can recede from the earth at a speed greater than that of the radiation — namely, c .

To derive this conclusion, let us measure all times and distances relative to Earth's rest frame and let

t = measure of time, from big bang at $t = 0$

T = age of universe (= time elapsed from big bang to Earth's receipt of radiation from source)

θ = time after big bang at which radiation is emitted from source

\bar{v} = average speed of separation of source and Earth from big bang ($t = 0$) to emission of radiation ($t = \theta$).

Thus the total separation of source and Earth at time of emission — i.e., the distance the radiation travels at speed c from source to Earth — must be $\bar{v}\theta$, and the time elapsed during the radiation's journey is

$$T - \theta = \frac{\bar{v}\theta}{c},$$

from which follows

$$\theta = \frac{T}{1 + (\bar{v}/c)}$$

And from $0 < (\bar{v}/c) < 1$, — i.e., the limiting feature of the speed of light

we conclude

$$0.5T < \theta < T.$$

(ND)

Any radiation we receive today must have been emitted ~~therefore~~ at least half the age of the universe after the big bang.

How, then, if the above analysis is sound, do Ferguson, Williams, and Cowie — along with others — suppose radiation to have reached Earth in the 20th century from a source that was, at moment of emission, farther from Earth than $(cT/2)$? Since they evidently infer emitter distance from the doppler-shift magnitude, a ready-to-mind answer is their use of an erroneous relation between emitter distance and doppler shift measurement.

If, however, there is something wrong with my analysis above, I shall be grateful to have it explained to me.

Robert Weinstock

Robert Weinstock

Emeritus Professor of Physics

Oberlin College

Oberlin, OH 44074

ZWEINSTOCK@OBERLIN.EDU

(216) 775-8337

Jeff: Spurred by your review, we are planning to publish Weinstock's letter [①]; Ferguson [②] suggests we read his response [③] and consider publishing

From: Harry Ferguson <ferguson@stsci.edu>
 To: ACP.AIP(pelliot)
 Date: 7/28/97 10:37am
 Subject: Reply to Weinstock letter.

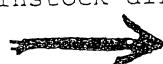
neither. What think you?

/Paul

28 July 97

Dear Paul,

Here is our reply to the letter to the editor. Actually, we wouldn't recommend publishing either the letter or our reply, as this sort of basic question about light travel times seems a bit out of place for your letters section. Perhaps you should forward our reply to Dr. Weinstock directly and see if that satisfies him?



Sincerely,
 Harry Ferguson

SB: Weinstock letter below, followed by Ferguson reply.
 Ferguson recommends we not publish either. So does Chas.
 Jeff says otherwise - See next page. I suggest we ask Weinstock if he may feel publication exposes his lack of understanding of cosmology.

①

Weinstock Letter to the Editor

In "Probing the Faintest Galaxies," by Henry Ferguson, Robert Williams and Lennox Cowie (PHYSICS TODAY, April, page 24), the figure 1 caption reads, in part, "For most of the galaxies in the image, we are looking back more than half the age of the universe."

This claim seems strange to me. Radiation emitted so long ago must have had its source so close to Earth at the moment of emission*according to the generally assumed Big Bang origin of the currently expanding universe*that it would have reached Earth, if at all, well before the era of telescopes, spectrometers and, of course, us. That this is so springs from the fact that no source can recede from the earth at a speed greater than that of the radiation*namely, c. A simple calculation, in fact, shows that we are looking back through less than half the age of the universe. Can it be that Ferguson et al. are using an erroneous relation between emitter distance and doppler-shift measurement?

If there is something wrong with my analysis, I shall be grateful to have it explained to me.

> @SIGNATURE = ROBERT WEINSTOCK
 > @ADDRESS = (zweinstock@oberlin.edu)
 > @ADDRESS = Oberlin College
 > @ADDRESS = Oberlin, Ohio

>

> Ferguson et al. reply

③

The redshift distribution of the galaxies in the HDF is not known precisely, however, a very conservative guess based on Keck spectroscopy of the brighter galaxies and the colors of the fainter galaxies is that more than half the galaxies have redshifts $z > 0.8$.

8/13/97

The statement made in the caption of figure 1 comes from a

calculation of lookback time to a galaxy at $z = 0.8$. For a critical-density universe with a cosmological constant $\lambda = 0$, the lookback time is

$$\tau = \frac{2}{3} H_0^{-1} (1 - 1/(1+z)^{3/2})$$

and the present age of the universe is

$$t_0 = \frac{2}{3} H_0^{-1}$$

where H_0 is the Hubble constant.

For this cosmology, a galaxy at $z = 0.8$ has $\tau = 0.6 * t_0$. In other words the lookback time is more than half the present age of the universe.

A general expression for the lookback time with arbitrary values of the cosmological constant and density parameter is given in Carroll et al., 1992, Ann. Rev. Astron. Astrophys., 30, 499 (equation 16).

Henry Ferguson
Robert Williams
Lennox Cowie

Paul —

Weinstock's question should get a physical explanation as an answer, not a mathematical one like this. I say drop the mathematical one, don't just add the physical one to it. Perhaps ask Ferguson & Co. to write what they would say to a high-school student (or radio audience) who noticed this seeming contradiction. One possible reason that Ferguson & Co. answered as they did is that they don't really understand the physics.

- Jeff

28 Ju 97

S 000555

PHYSICS TODAY

from Stephen G. Benka

Paul,

Forward Ferguson's
response to Weinstock.
We won't publish
either the letter or the
response.

Steve 8/14/97

33.1

Scientocracy

Vannevar Bush envisioned a brave new world run by scientists.

ENDLESS FRONTIER

*Vannevar Bush,
Engineer of the American Century.
By G. Pascal Zachary.
Illustrated. 518 pp. New York:
The Free Press. \$32.50.*

By Thomas P. Hughes

DURING World War II, Vannevar Bush mobilized America's engineers and scientists, presided over the making of the atomic bombs, advised President Truman on the decision to use them against Japan and, in a memorable essay entitled "Science — The Endless Frontier," formulated a bold policy for the country's postwar cultivation of science and engineering. He defined, as well, the military-industrial-university complex and gave it the impetus that propels it today. As G. Pascal Zachary observes in "Endless Frontier," no wartime figure in the world marshaled such enormous engineering and scientific resources.

Born in 1890 in Everett, Mass., Bush cultivated his scientific interests while a mathematics student at Tufts and a graduate student in electrical engineering at M.I.T. In the 1920's, when American engineering was in transition from the improvisatory pragmatism of the past to the science-based approach of the future, Bush became known for blending traditional scientific values with the emerging professional ones. At ease in the machine shop as well as in the laboratory, he spoke of himself as using both the hand and the head.

M.I.T., which was in the vanguard of this professional transition, adopted Bush as an exemplary faculty member and later named him dean. He won worldwide peer recognition as the foremost designer of electromechanical analog computers. Decades later, his *Atlantic Monthly* article "As We May Think" spread the notion of mechanizing the storage and retrieval of information, an idea that fired the vision of several computer pioneers. Zachary, a business and technology reporter for *The Wall Street Journal*, has aptly subtitled his biography "Engineer of the American Century."

Bush assumed that men of brains, judgment and good will would rise to positions of responsibility in the engineering and scientific world. (He was not at all sure that this was true in political and military realms.) An elitist holding high academic standards, he believed that university engineers should reach out to render public service, not only solving problems assigned to them, but helping to formulate policy as well. This agenda would bring him into sharp conflict with the Washington establishment.

After World War II began in Europe, Bush, answering a call from Washington to mobilize engineers and scientists for national defense, put together the Office of Scientific Research and Development. Contemporaries called it the greatest research and development organization in history. Its story has often been told, but Zachary goes deeper to explore Bush's influential and often controversial views on the role of experts in a democracy, an issue that surfaced then and that remains only slightly below the surface now.

Bush and elitist science associates like James

Thomas P. Hughes is a professor of the history of science and technology at the University of Pennsylvania and M.I.T.

Conant, the president of Harvard, sharply criticized the military for not developing strategy and tactics that incorporated new weapons, such as radar and the proximity fuze. Bristling with impatience, Bush used his direct access to Franklin D. Roosevelt, as well as his freedom from Congressional oversight and his huge budget, to bring pressure on generals and admirals to accept scientists and engineers as partners in making policy.

Turf battles were inevitable. The Chief of Naval Operations, Adm. Ernest J. King, a formidable opponent, accused Bush of "trying to mess things up in connection with the higher strategy which were not his business, and on which he could not have any sound opinions." Other officers scornfully dismissed the civilian experts as men without combat experience.

Bush's advocacy of unfettered scientific expertise brought criticism from the politicians as well. The United States budget director, Harold Smith, declared that Bush "is too much influenced by the assumption that researchers are as temperamental as a bunch of musicians, and consequently we must violate most of the tenets of democracy and good organization to adjust for their lack of emotional balance." "Most of them," he added, "do not know even the first thing about the basic philosophy of democracy."

Undaunted, Bush, according to one colleague, talked "straight to generals and cabinet officers and the President," and made them "take it." After fierce confrontations, he would sometimes withdraw in the evenings to Washington's exclusive Cosmos Club and negotiate with his opponents over a bottle of Scotch. He often prevailed. Jerome Wiesner, John F. Kennedy's science adviser, thought that the 20th century might not again produce Bush's equal in engineering and science policy. Alfred Loomis, a knowledgeable science patron, investment banker and radar expert, concluded that among the men whose death in the summer of 1940 would have caused the greatest calamity for America, Roosevelt was first and Bush would be second or third.

BY war's end, however, Bush was bone-tired, broken in spirit and bereft of influence. Finding the Truman Administration's science policies suggestive of a chapter from "Alice in Wonderland," he left the Government in 1948. In his last great effort, he tried and failed to establish a National Research Foundation, a peacetime replacement for the research and development office, one that would cultivate fundamental science both for military and civilian uses. He wanted peace-time science unfettered by political controls, but failing to perceive a growing call for public accountability, he aroused overwhelming opposition. James V. Forrestal, the first Defense Secretary, observed that "even with both ears to the ground," Bush did "not hear the rumble of the distant drum."

Deeply informed and insightful, Zachary has thoroughly captured the spirit of Bush and his times. In evaluating the man's legacy, he honors Bush as a role model for his generation's engaged engineers. But Zachary is impatient with Bush for resisting people whom he considered government interventionists, intent upon pursuing science primarily for the ill-fed, poorly educated and underemployed. Zachary is surely right in concluding that Bush's single-minded support of elitist universities and his advocacy of the "free play of free intellects, working on subjects of their own choice" would find little support in Washington today. □

The New York Times
26 October 1997

S 000557

Advocate of the Atomic Age

ENDLESS FRONTIER
Vannevar Bush, Engineer of the
American Century

By G. Pascal Zachary
Free Press, 518 pp., \$32.50

By Gregg Herken

ALL that has been written about the making of the atomic bomb tends to ignore the fact that the Manhattan Project was primarily an engineering effort. Historians have lavished most of their attention upon the more temperamental—and hence colorful—physicists involved. Journalist G. Pas-

Gregg Herken, a historian at the Smithsonian, is writing a book about physicists Ernest Lawrence, Robert Oppenheimer and Edward Teller.

cal Zachary's *Endless Frontier*, the first biography of an engineer who was once the doyen of America's scientific establishment, takes a major step toward setting the record straight.

Vannevar Bush was a prototypical Boston Yankee whose father was a Universalist preacher and grandfather a sea cap-

tain. Bush's flinty persona and wry humor reflected those origins. (His "screwbail" first name was borrowed from that of a family friend.) Educated at Tufts and MIT, Bush received a PhD in electrical engineering in 1916 and set about to broaden his horizons: "I resolved to learn about

dent of Harvard—whom he described as a "square-shooting, level-headed liberal." The pairing of Bush and Conant created one of the most remarkable intellectual partnerships in the modern history of science and technology, but it receives disappointingly little treatment in this otherwise excellent book. (Readers are advised to consult Jim Hershberg's brilliant biography of Conant, which can be read as almost a companion volume.) When World War II finally arrived, Bush created larger, umbrella organizations—the Office of Scientific Research and Development—and assigned the NDRC to Conant. Together, the duo not only oversaw development of the decisive weapons of victory—radar, the proximity fuse, and the atom bomb—but also became Roosevelt's de facto science advisers.

"Science—The Endless Frontier" was

the 192-page plan for postwar federal sup-

port of scientific research that Bush pre-

pared for Roosevelt as victory approached;

he intended it as his legacy. Like the

NDRC and OSRD, Bush wanted peacetime

men as well as things."

An inveterate tinkerer, Bush invented before he was 40 a device to detect submarines, a code-breaking machine, a solar-powered pump, and the "differential analyzer"—an early, mechanical version of the computer. In the mid-1920s, he co-founded Raytheon and was made wealthy by the

"Bush's greatest invention was not a thing but an organization—the National Defense Research Commission."

subsequent growth of the electronics giant. In 1939, on the eve of World War II, he became president of the Carnegie Institution in Washington, D.C.

Yet Bush's greatest invention was not a

tting but an organization—the National Defense Research Commission—which he

and President Franklin Roosevelt created in time to mobilize the country's scientific brainpower for the coming conflict. The quality that Bush typified and that he valued most—the ability "to think straight in the midst of complexity"—was key to his and the NDRC's success in jump-starting the nascent atomic bomb project, which hidebound bureaucrats and flighty physicists had left dead in the water. When a National Academy of Sciences panel dithered as to whether a bomb was possible, Bush added a handful of engineers and sent them back to the drawing board; the panel decided the bomb was feasible after all.

Bush also had the talent to recognize his own limitations. "Most of this was over my head," he readily admitted to physicist colleagues who were probing the mysteries of fission. Accordingly, Bush teamed up with another, Bostonian—chemist James Conant, presi-

—Continued on page 5



VANNEVAR BUSH

ASSOCIATED PRESS

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—Continued on page 5

coming simply a curmudgeon by two courageous acts that received little or no public attention. In 1952, while on a blue-ribbon panel studying disarmament, Bush tried to postpone the explosion of America's hydrogen bomb until the possibility of a ban on such tests could be explored by Truman's successor. Two years later, Bush spoke out in Robert Oppenheimer's defense at the latter's security hearing, where the physicist was being pilloried for his opposition to the H-bomb. While for naught, Bush's heroic stand at the Oppenheimer hearing was arguably his finest hour.

In an era when science as well as history is said to be only a reflection of changing cultural values, Zachary's book gives a glimpse into a simpler time. Vannevar Bush was the exemplar of a generation that has now vanished. Bush evoked the attitudes and standards of that generation when he wrote, in December 1940, of standing "at the mouth of the cave with a few strong men of the clan armed with stone axes against a hostile world."

In retirement, Bush was saved from be-

THE WALL STREET JOURNAL.

Arms and the Man

By ERICH EICHMAN

It is odd to think that a man whose face appeared on the cover of Time magazine in 1944, and whose death occasioned a front-page obituary in the New York Times 30 years later, should be all but forgotten today. But such is the fleeting fame of the



Bookshelf

"Endless Frontier"
By G. Pascal Zachary

technocrat. Vannevar Bush was much more than that, of course. He was a pioneering engineer and inventor, an entrepreneur, a visionary and a social philosopher whose "Modern Arms and Free Men" was a 1949 bestseller and whose hymn to science (and appeal for funding), "Science—The Endless Frontier," caused a sensation when it was released in July 1945.

But his glory years were spent in Washington heading up various technocratic entities (the Carnegie Institution, the Office of Scientific Research and Development), advising presidents, pulling strings on Capitol Hill, worrying over funding, and overseeing projects, most notably the secret one that produced the first atomic bomb.

In his way, Bush was a precursor of the "Wise Men," the elite insiders who guided U.S. policy in the postwar years. His influence reached its height under Roosevelt and faded precipitously thereafter, but his concerns—the relation of science to government and the military, its role in society—are still very much with us.

No doubt Bush would have welcomed our computer revolution, for he was essentially an optimist who saw technology as a force for good. Most important, during the crisis years of his greatest prestige and authority—when the country was at war or preparing for it—he argued (presciently, convincingly) that science had something essential to contribute to national defense, especially if civilian researchers were allowed to do their work unmolested by military bureaucracy.

Journal reporter G. Pascal Zachary has brought this able, conscientious, energetic and wrongly forgotten man to life in "Endless Frontier: Vannevar Bush, Engineer of the American Century" (Free Press, \$18 pages, \$32.50). A few excerpts:

In the 1930s: "While innovation was clearly becoming corporatized, Bush still believed that the lone researcher often does produce out of thin air a striking new device or combination which is useful and which might be lost were it not for his keenness." Bush was himself just such an irrepressible inventor. While an astute manager of research teams, he often pursued his grandest intuitions alone. Rapid retrieval of personalized data, stereophotography, typography, internal combustion engines and perpetual motion were just a few of his obsessions. For him, inventing was a calling, a way of life."

At the commanding heights: "Intensely self-assured, [Bush] deferred to no one, save Roosevelt and his mentor, Henry Stimson, the secretary of war. In the heat of war, his penchant for barging ahead worked wonders. The military gave more leeway to him than perhaps any other civilian in the war. Members of Congress granted his every request. 'Never once did we ask for funds and fail to secure them promptly,' Bush later boasted. Legislators rarely even questioned him, and when they did the exigencies of war made it possible for him to duck the tough queries anyway. He never flatly refused to satisfy a politician's curiosity, but rather dared him to comprehend the technical and military issues. Most politicos wisely kept their mouths shut."

The response to Bush's 1945 report: "Business Week called *Science—The Endless Frontier* 'an epoch-making report' that is 'must reading for American business men.' The *Washington Post* applauded Bush for delivering a 'thorough, careful plan for putting the needed push of the federal government behind our scientific progress.' . . . Only a handful of commentators questioned Bush's basic principle that research deserved broad public funding. *The Wall Street Journal*, for example, argued that tax incentives could achieve a similar result by inducing private industry to spend sufficiently on research."

After the war: "[Bush] shared with other elitists a stark and not altogether distorted view of American society that pitted sober, pragmatic élites against the untutored, volatile masses. For Bush, Truman and his cronies as well as most congressional leaders clearly fell into the 'masses' category. While Truman delighted in casting himself as an ordinary American, Bush—and other élite leaders—tended to view such citizens as irresponsible and sometimes irrational. The élite assumed that the mass of Americans needed patriarchal authority. In Bush's view, civilian technocrats were the solution to the inherent contradiction between the increasingly complicated problems facing government and the nation's democratic traditions. In practice, this meant that the public must pay for experts to make decisions in its name; these experts would brook little or no interference."

Looking back, in the 1950s: "He wondered whether men could 'live without war.' Now that 'the glamour of war is gone,' he asked whether the kind of direct combat 'that once had a real appeal for the red-blooded man' was obsolete. Others had noted that modern technology had made war impersonal and that the 'virile attributes' of war, which enlivened societies in the past, would have to arise from another source. But Bush's romantic yearning for an earlier stage of combat seemed peculiar given his role in exploiting the very technologies that further dehumanized war."

S 000559

A vivid tale of an American science czar

By David Warsh
THE BOSTON GLOBE

Roosevelt called me into his office and said, 'What's going to happen to science after the war?' I said, 'It's going to fall flat on its face.' He said, 'What are we going to do about it?' And I told him, 'We better do something damn quick.'

Those are the words of Vannevar Bush, longtime professor at the Massachusetts Institute of Technology and America's science czar in World War II. They evoke the Washington manners of 1945, when those in positions of responsibility understood that they trod upon a historic stage and spoke words that slipped sentences easily.

Bush had served as Roosevelt's science adviser since June 1940, overseeing the development of radar, the computer, the atomic bomb, antibiotics. When Roosevelt asked for a postwar plan, Bush delivered—and in a hurry.

In just four months, he responded with a famous report, "Science—The Endless Frontier," synthesizing the work of a series of blue-ribbon committees. Though much battled over in the corridors of power, it nonetheless became the blueprint for the decades between government, industry and academia that has lasted to the present day.

More than any other person, it was Bush who designed America's national system of innovation in the post-World War II era. The universities directing basic research, the federal government paying the bills and corporations concentrating on applied research, somewhere in between.

This was a good deal more fundamental than, say, thinking up the interstate highway system or inventing the television networks. It could be argued (leaving democracy aside) that it was the innovation system more than anything else that won the Cold War.

Bush is now the subject of a wonderful new biography by G. Paul Zalucky, "Endless Frontier: The Vannevar Bush, Engineer of the American Century." It turns out that nothing he did was as important as what he

Commentary

accomplished in the years between 1939, when he went to Washington, and 1954, when he left full-time government service and returned to MIT.

Yet even Bush's failure to adjust after those great days underscores the importance of the forces he had set in motion. And in Zachary's hands, the human forces behind the strange twists of technological developments are always available for inspection.

Named for his father's roommate at Tufts College, Bush went to Tufts himself. Afterward, with his Tufts roommate, Lawrence Marshall, he started a firm to make radio tubes that they called Raytheon. The firm was a success, but Bush went on to teach electrical engineering at MIT, where he pioneered in developing analog computers. Duty called in 1939.

By far the greater part of Zachary's book concerns the war years. And here the stories are just too numerous to do more than list. The author's day job is as a reporter for The Wall Street Journal in San Francisco. He has a journalist's eye for color and knack for narrative. He has a historian's ear for deepest concerns.

Zachary weaves tales of the Manhattan Project with yarns of Bush's association with the Office of Strategic Services stories of the FDR cabinet with anecdotes from scoundrel time. (One of his finest moments came when he went to bat for Robert Oppenheimer, whom he saw as victim of technological differences of opinion.)

It turns out to have been a far more complicated world than Bush had contemplated. Battles over federal funding of science are recounted. Bush favored winding down the military's role in funding science at the conclusion of the war; President Harry Truman overrode him in 1945. When the National Science Foundation finally was created five years later, Bush disclaimed the agency he had imagined. He feared that it was too little, too late.

After leaving government,

Bush seemed to shrink in stature. The man who had marshaled forces on a equal footing

By the 1970s, U.S. Industry found itself in a paradoxical situation: 'Awash in theoretical knowledge, it was starved for the basic processes and products that lead to victories in commercial contests,' according to a new biography of Vannevar Bush.

with Eisenhower, George Marshall and Chester Nimitz suddenly was a voice that found its fullest expression against the hew: against guided missiles and satellites, against the race to the moon, against consumerism. He served to good effect on corporate boards, with the pharmaceutical company Merck in particular. His son founded Milkhouse Filter Co.; he himself raised turkeys in New Hampshire.

The world was far more bottom-up than the top-down world he favored, and, according to Zachary, this had deleterious effects on America's competitive position in the world economy. He writes: "The great defect of 'Science—The Endless Frontier' was its neglect of industrial innovation." Science was lionized as the source of all progress; invention and commercial engineering were fobbed off as subsidiary concerns. The result was that by the 1970s, U.S. industry found itself in a paradoxical situation: 'Awash in theoretical knowledge, it was starved for the basic processes and products that lead to victories in commercial contests.'

(Oligopolistic market structure may have had something to do with it, too.)

Nobody knows better than Zachary how it was that, in key industries at least, American businesses fought their way back to positions of global supremacy. His first book, "Showstopper: The Breakneck Race to Create Windows NT and the Next Generation at Microsoft" (now undeservedly out of print), is a remarkable chronicle of the development of a major piece of software.

Its putative hero is Dave Cutler, who was born in 1942, when

Bush was at the height of his powers in Washington. Yet by

the end of the book, we understand that Cutler (once a top Digital Equipment executive) in his way has been just as effective in welding together a team hell-bent on a fixed objective as was any of Bush's minions in the war—with no higher authority behind Cutler than Bill Gates, the business strategist who built Microsoft on little more than his understanding of what it meant to be the standard.

Gates commands a research and development effort as extensive as any ever commanded by Bush. And the commercialization of research and development that began when International Business Machines moved into computing and American Telephone & Telegraph developed the transistor (and then stood by while Silicon Valley took its development to the next stage) has gone far beyond what's contemplated.

Which just goes to prove the point. Whatever the deficiencies as a plan of action, the outline first sketched in "Science—The Endless Frontier" have evolved into a pretty good map of the territory. The relationships between the regions are better understood. So are the possibilities for fuller communication. The boundaries themselves seem a little more finite; the competition for resources a little more intense.

But veterans of a hundred cowboy movies know what happens next. Some guy comes through with a roll of barbed wire, or a motor car, or a machine gun, and it's off to the races again. The frontier is forever closing, at least as originally understood. And new vistas are opening all the time.

San Jose Mercury News, 31 August 1997



VANNEVAR BUSH
AND THE POLITICS
OF SCIENCE

INSIDE

TAPPED OUT: Beer industry's love affair with marketing resulted in some flat sales. Page 4
AUDIO 'AMBUSH': Tom Wolfe's first fiction in a decade gravels the recording route. Page 7

S 000561

A well-engineered life

■ Vannevar Bush devised policies that altered our lives

ENDLESS FRONTIER: Vannevar Bush, Engineer of the American Century
By G. Paschal Zachary
Fire Press, 490 pp., \$32.50

BY PAUL PREUSS

A CHAMPION of scientific expertise in government, Vannevar Bush's name and face were all over the covers of Time and Fortune and Newsweek in the 1940s, but today — except for the mistaken impression that Bush foresaw the personal computer and the Internet — few remember him. Wall Street Journal reporter G. Paschal Zachary has performed a valuable service with this admirably detailed biography of a man who not only was the 20th century's leading American engineer, but who in a real sense engineered the American century.

How should history judge a man who described many of features of the PC in 1945 and inspired the pioneers of the personal computing movement, but who disparaged digital electronic computation? Bush built an enormous mechanical computer of brass and steel, known as a differential analyzer, as early as 1931. Although he helped found Raytheon in 1924 to manufacture better and cheaper electronic tubes for radios, he never lost his affection for analog computing machines. The memory in Bush's proposed desk-sized "memex" (never built) would have consisted not of magnetic tape or disks but of reels of microfilm.

How should we assess the vision of someone who headed NASA's predecessor organization, the National Advisory Committee for Aeronautics (one of his first acts was to establish a research center in Sunnyvale), but who thought rocketry was a waste of time and did his best to discourage the development of satellites, intercontinental ballistic missiles and moon rockets?

The middle years of the century, the years of World War II when Bush was at his acme, were a fulcrum for our national values, our self-image and our conception of ourselves as a distinctive people in the world. Like his times, Bush was a mass of questions and contradictions. He founded the Office of Scientific Research and Development (OSRD) and fought savage bureaucratic battles with Army and Navy brass to persuade them to invest in weapons



ASSOCIATED PRESS/WIREWORLD — FROM ENDLESS FRONTIER

Vannevar Bush, shown here in 1942, was a high-profile engineer during World War II.

development. Because of Bush, American radar helped sweep U-boats from the sea, and the proximity fuze made anti-aircraft guns and artillery devastatingly effective.

At first Bush opposed nuclear research, thinking the prospects for a bomb "remote from a practical standpoint." He ended up launching the Army's Manhattan Project. What to think of a man who advised dropping the bomb on Japan, then wanted to share

nuclear secrets with the Soviet Union — and who staunchly opposed the development of the H-bomb?

He sounds almost liberal. Not at all. Bush was so conservative he distrusted democracy. Although he was one of Franklin Delano Roosevelt's greatest admirers and closest advisers, he thought the president should be relieved of his burdens by delegating power to a committee of technical experts. During the Communist witch

hunts after the war, Bush failed to defend the distinguished scientist E.U. Condon, under attack by the House Un-American Activities Committee, noting that "Commie infiltration constitutes a genuine menace in this country."

A Red baiter, then? Not that easy. He was one of Robert Oppenheimer's staunchest defenders at the 1954 AEC security hearings and a scathing critic of Joseph McCarthy. In 1967, Bush recalled, "Good Lord, I worked with Hoover, Truman, Eisenhower, Roosevelt, Kennedy, and I don't think any of them ever knew what my political philosophy was or were in any way interested in it."

Born in 1890 in Chelsea, Mass., the son of a Protestant minister, Bush began his inventing career while a student at Tufts College, where he earned a patent on a sort of analog computer mounted on a wheelbarrow, a surveying device. After graduate school at the Massachusetts Institute of Technology, he eventually became a professor there, and by 1932 he was MIT's vice-president. Washington, D.C. proved to be but a short step away.

Bush advocated civilian control over military research, but through the OSRD and other organizations he did more than anyone else to establish the military-industrial complex. After the war, his opposition almost sank the National Science Foundation and the civilian-controlled Atomic Energy Commission (today's Department of Energy) — and each had been his own brainchild! Bush was a masterful politician who could threaten and cajole and occasionally deceive to get what he wanted, but he had no constituency except scientists and engineers; having lost the support of younger scientists, his power quickly slipped away.

Virtually discarded by government leaders after World War II, Bush kept an office at MIT and died at home in 1974 at the age of 84. "In hindsight, how does one judge Vannevar Bush?" Zachary asks. "Right or wrong? Good or bad? Success or failure?" Such questions certainly would stink Bush as absurd. ... His was a life not of looking back, but of charging ahead. Maybe a full reckoning of his importance isn't possible. Bush himself liked to say, "It is earlier than we think." ■

Paul Preuss' new novel is "Secret Passageways."



books

An EE who swayed the world

ANGER MORCAN

Ask most electrical engineers to list who did most to shape the second half of the 20th century, and few are likely to include one of their own: Vannevar Bush, professor of electrical engineering at the Massachusetts Institute of Technology (MIT), co-founder of Raytheon Corp., and civilian director of the massive U.S. R&D effort during World War II. Yet the development of radar, the proximity fuse, effective anti-submarine warfare, and countless other innovations played the decisive role in tipping the balance of the war to the Allies and, in the longer run, in securing democracy as the predominant form of government for industrialized states at the close of this century.

Bush was born in 1890 in a town just north of Boston, where his father was a Universalist minister, and he grew up in a nearby community to which the family moved in 1892. He was a strong-willed young man, with a "spark of belligerency," who from time to time endured bouts of illness. He showed great promise in mathematics and science, and perhaps just as importantly, proved adept at building things with his hands.

Biographer G. Pascal Zachary, a senior writer for the *Wall Street Journal*, explains that in "tinkering in his basement, Bush shared an activity with many brainy, middle-class boys around the country. The romance of invention...was contagious...[and] Bush realized that the path of the inventor offered him perhaps the only means of achieving conventional success without sacrificing his maverick leanings."

In 1909, when Bush graduated from Chelsea High, he was an independent-minded, politically conservative middle-class New Englander. He was "impatient with pomp," Zachary reports, an "outsider who resented the elite of society but hungered for recognition too." He went to Tufts University, in Boston, where he earned bachelor's and master's degrees in engineering. On one occasion, he read the textbook for a course in advance and asked the professor if he could cut classes to make some time available for other things, and just take the final exam when it occurred. The professor instead gave him the test on the spot—Bush passed and was granted credit.

After working briefly at General Electric Co., Bush entered a doctoral program at Clark University but then transferred to MIT, where he completed a thesis in the new electrical engineering department in less than a year. In 1916 he accepted a job at Tufts and, in parallel, took a position as laboratory director for American Radio and Research Corp. (Amrad). Three years later he moved to the electrical engineering department at MIT, where he expanded his program of research and industry consulting.

Bush's work at Amrad eventually con-

tributed to the establishment of a new company, Raytheon Corp., which grew rapidly, supplying vacuum tubes for the consumer radio market. Bush prospered along with it.

In 1932 Karl Compton, MIT's new president, made Bush vice president and dean of engineering. While the position gave him wide administrative responsibilities and greater exposure on the national scene, it did not end his research activities or consulting. Much of his research at MIT focused on analog mechanical computing machines (termed "differential calculators") and on "rapid selectors" for searching large physical files (such as banks of microfilm).

As the risk of war grew in the late 1930s, Bush became concerned with laying the R&D foundation for a conflict whose outcome, he believed, would be determined by technological prowess. He had already begun to expand his activities in Washington, D.C., when in early 1939 he was named to head the prestigious Carnegie Institution of Washington, a position that provided the springboard that soon vaulted him to the pinnacle of power.

Bush's appointment in 1940 to chair the National Defense Research Committee (NDRC), which was later transformed into the powerful Office of Scientific Research and Development (OSRD), resulted from vision, good ideas advanced

by the right friends, and superb salesmanship combined with technical accomplishment and great administrative skill. Bush built an organization that, while coordinating with the uniformed military services, defined its own research priorities and ran its own show with minimal oversight by the President and Congress.

books

at just the right moment, the right friends, and superb salesmanship combined with technical accomplishment and great administrative skill. Bush built an organization that, while coordinating with the uniformed military services, defined its own research priorities and ran its own show with minimal oversight by the President and Congress.

Bush pioneered new contracting methods that mobilized the nation's top scientists and engineers, with minimal red tape, to address key problems, often in their own laboratories. By 1944 OSRD was spending \$3 million a week on 6000 researchers at more than 300 industrial and university labs. This count does not include the building of the atomic bomb by the Manhattan Project, over which Bush had responsibility through different administrative arrangements.

Readers unfamiliar with the critical role played by Bush and the OSRD in the war effort will find the central 150 pages of Zachary's biography an exciting and invaluable introduction. Details of Bush's skillful wooing and bullying of military leaders such as Admiral Ernest J. King are particularly interesting. I would have preferred a few more technical details, but except for confusion between the capabilities of the German V1 and V2 weapons, those provided are accurate.

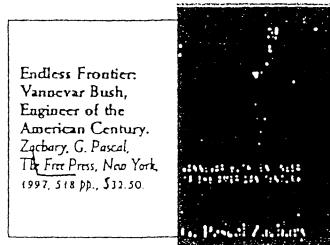
Accustomed to wielding great power with remarkably little accountability, in the post-war era Bush found it difficult to adjust to the reemergence of politics-as-usual and bureaucratic regulation. He strongly supported the atomic bomb he had helped create, but he also recognized that the bomb had changed the world, and worked hard, if without much success, to put in place an international regime to manage this threat to security. On the other hand, he was slow to recognize the great strategic importance of ballistic missiles and the military uses of space. This blind spot worked to erode his standing with post-war military leaders.

Bush is widely credited with being the father of the social contract that guided post-war R&D in the United States. He was the principal author of the report, "Science the Endless Frontier," which today is perhaps the most venerated, if rarely read, icon in Federal science and technology policy circles. Zachary's account makes it clear that while many of the ideas that led to the post-war system of Federal R&D originated with Bush, and with OSRD contracting experience, Bush by no means deserves all the credit. Indeed, his strong will, plus his failure to understand the changing political landscape, did much to delay the creation of the National Science Foundation.

In Zachary's account, Bush is an immensely impressive man to whom the country and the Western world owe a great debt of gratitude. He was also human, with an ego, a strong and sometimes abrasive style, and other failings and limitations. These are recounted with an honesty that in no way detracts from Bush's great achievements as an engineer, as an entrepreneur, and as an excellent R&D administrator.

Most of the "big names" in U.S. science and technology policy have started out in science, especially physics. But this fascinating and well-written biography is a reminder that one of the greatest of them all, and perhaps the most influential, was an electrical engineer.

Granger Morgan is the Lord Chair Professor of Engineering at Carnegie Mellon University, Pittsburgh, where he also is head of the department of engineering and public policy and a member of the faculty in electrical and computer engineering.



By Zachary G. Pascal

The Free Press, New York, 1992, 518 pp., \$32.50

ISBN 0-671-74250-2

10

15 November 1996

Proposals for discussion at Physics Today retreat

The following proposed agenda items are in the spirit of Steve's invitation to put our concerns "on the table." This list was put together by some of the staff, based on discussions among staff members. The theme of these proposals derives from the main points raised by the Physics Today advisory committee: openness, staff empowerment and editorial efficiency. The proposals address issues that are very important to at least some of the staff, and they are intended to provide a basis for discussion. Each proposal is subject to adoption, modification or rejection during the retreat. PLEASE ADD TO THE LIST.

1. Agreement that we want to keep all the present staff members.
 - Security is a prerequisite for speaking freely, sharing ideas and experimentation.
2. Openness.
 - Recognize that all staff members are legitimately concerned about all aspects of the magazine -- both content and process.
 - Proposed changes in magazine's content or process should be announced to the staff and discussed.
 - Make letters to the editor available to all staff.
3. Volunteer reporters -- a staff-based information system.
 - Reporter gathers and disseminates information on progress toward agreed-upon goals. Not intended to replace management's information system. (Example: reporting on progress toward hiring someone to categorize books.)
4. Problem resolution: Editorial and other.
 - Editorial judgment: Burden of proof on critic.
 - In disputes, staff members are encouraged to consult others on staff.

5. Distribute work according to staff interest.
 - Adjust job descriptions of yet-to-be-hired editorial and secretarial staff members based on current staff interests.
6. Physics Today management should act in a way that leads staff to see them as their advocates rather than as the local representatives of higher management.
 - Advocates in editorial controversies.
 - Advocates in annual reviews.
7. Voluntary staff participation in hiring.
 - Participate in writing job advertisements.
 - Examine resumes.
 - Talk to candidates.
 - Offer recommendations.
8. Take affirmative action to increase diversity of Physics Today staff.
9. Allow staff to solicit outlines for articles.
10. No need for detailed schedules.

(Distribution: All PT staff and managers.)

S 000565

5 November 1997

Marc,

Thank you for asking me to meet with you today about my statement to the Physics Today advisory committee that the magazine has failed to live up fully to its claim that it is an affirmative-action employer.

I am taking this opportunity to outline the history of the issue at the magazine and to discuss the important difference between equal opportunity and affirmative action.

At a November 1996 Physics Today meeting, some of us on the staff raised the issue of affirmative action and the lack of diversity at the magazine. Several weeks earlier, one of the Physics Today editors had submitted his resignation, thus presenting us with an immediate opportunity to work toward correcting the problem. At the meeting, I said I would help monitor the situation in the future, as did Jean Kumagai, who is the only minority among the 18 individuals who work at Physics Today.

On 14 April 1997 the Physics Today staff learned that out of the 85 applicants for the editorial opening at the magazine, three had been selected to come in for interviews -- all white males. Among the 85 applicants were a number of potentially qualified minorities and women. Jean and I argued that if Physics Today were truly committed to affirmative action, it would also bring in some of these applicants. That could have been done easily, but Charles Harris and Steve Benka refused, saying that it was not worth the delay of a week or so that it would cause. We felt that this revealed Physics Today's priorities (and AIP's, too, because Charles had told us that he had discussed the institute's affirmative action policy with Terri Braun after the November 1996 staff meeting), and that affirmative action clearly was low on the list.

The decisive factor turned out to be that while Charles believes in equal opportunity, he does not believe fully in affirmative action. He told me, for example, that he would not hire a minority who is qualified to do the job unless that individual was more qualified than all 84 of the other candidates. Such a policy can lead to an all-white staff even though many minorities are qualified to do the work. For reasons outside of our immediate control, qualified minorities are less likely to have credentials beyond those needed to do the work. Thus, the qualified minorities are passed over in favor of white applicants who have such superfluous credentials. The result is a staff that doesn't look like the population of people who are qualified to do the work. Thus the Physics Today staff does not look like the physics community, the journalism community, the Washington community or the nation as a whole. As long as Physics Today fails to embrace affirmative action, minorities will continue to be in the subset of applicants

deemed qualified to do the job, but rarely among those actually hired. Thus "equal opportunity" amounts to a de facto "whites only" hiring policy at Physics Today. Historically, affirmative action was instituted to overcome this shortcoming of equal opportunity.

Charles also told me that staff diversity is of no value to the magazine -- except to make the office a more interesting place to work. Therefore the fact that a particular job candidate would contribute to the diversity of the staff counts for nothing, he said.

My own concern about affirmative action at Physics Today was heightened when AIP and the magazine relocated from New York City to College Park four years ago. To fill the editorial openings created by the move, the magazine hired three individuals, all white males -- Ray Ladbury, Denis Cioffi and Steve Benka. None of the three had any journalism experience, but the magazine was willing to train them. (One could view this as an affirmative action program for white males.) If the magazine is willing to hire and train potentially qualified whites, then why not do that for minorities, too?

The managers at Physics Today made two token gestures in response to the pressure that we applied: They told a few organizations of minority scientists about the job opening, and, after they filled the position with a white male, they phoned a few of the minorities whom they had judged to be "promising candidates."

Ever since my disagreement with Charles over affirmative action at Physics Today, he has treated me a little bit like an unwelcome troublemaker. You should be able to verify any point that I have made in this note without attributing it; by doing it that way, you can avoid exacerbating this problem.

A handwritten signature in black ink that reads "Jeff". It is written in a cursive style with a long, sweeping line extending from the bottom left towards the right, ending with the letters "Jeff".

S 000567

**AMERICAN
INSTITUTE
OF PHYSICS**

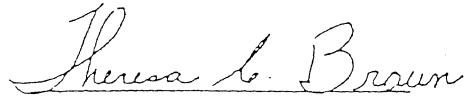
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One Physics Ellipse
College Park, MD 20740-3843

Tel. 301-209-3100
Fax 301-209-0843

1996 AFFIRMATIVE ACTION PROGRAM**FOR****AMERICAN INSTITUTE OF PHYSICS**

Program completed by:

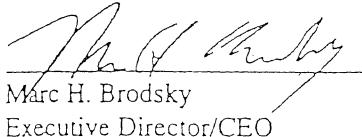


Theresa Braun
Director of Human Resources and
EEO Coordinator

Address:

One Physics Ellipse
College Park, MD 20740-3843

Program approved by:



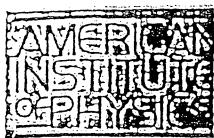
Marc H. Brodsky
Executive Director/CEO

This Affirmative Action Program is effective from January 1, 1996 to December 31, 1996.

Member Societies:

The American Physical Society
Optical Society of America
Acoustical Society of America
The Society of Rheology
American Association of
Physics Teachers
American Crystallographic
Association
American Astronomical Society
American Association of
Physicists in Medicine
American Vacuum Society
American Geophysical Union

S 000568

39
INTER-OFFICE MEMORANDUM

July 11, 1996

TO: Theresa C. Braun
FROM: Melinda Underwood
SUBJECT: Affirmative Action--1995

Below are the areas in which AIP had underutilization in 1995:

Senior Managers	Female and Minority Underutilization
Senior Professionals	Female Underutilization
Other Professionals	Minority Underutilization

Let me know if you want to develop a narrative discussion of goals for the Affirmative Action Plan for 1996-1997.

S 000569

The American Institute of Physics--Discussion of Goals (1995)

After analyzing our Affirmative Action plan and looking at the utilization analysis, it has come to the attention of the American Institute of Physics (AIP) that underutilization of minorities and females exist in the following job group:

Senior Managers (101) Female and Minority

Sr. Professionals (201) Female

Other Professionals (202) Minority

The American Institute of Physics has been and will continue to be an equal opportunity employer. Our goals for increasing utilization of the above groups will include:

- Broadening the scope of our recruiting efforts. This will include expanding our recruiting outlets and resources such as utilizing the Internet, Department of Labor, and community resources for job postings.
- Exploring diversity training and continue to monitor hiring process. AIP is looking into offering diversity training for hiring managers and supervisors.
- Examining and identifying internal candidates for open positions and career development.

This will include continuing cross job training, development of skills, and promotion of existing tuition reimbursement program.

RESPONSIBILITY FOR IMPLEMENTATION**A. Executive Management Responsibility**

As the representative of executive management, the EEO Coordinator has primary responsibility and accountability for implementing, directing and monitoring this Affirmative Action Plan.

1. Implementing the affirmative action programs set forth in this Plan, including the development of policy statements and related internal and external communication procedures to disseminate those policy statements.
2. Developing and supervising the presentation of our equal employment opportunity policy during the supervisory training and new employee orientation programs, which may include question-and-answer sessions for supervisors and employees answering their questions about this Affirmative Action Plan.
3. Designing and implementing an audit and reporting system that will accomplish the following:
 - (i) Measure the effectiveness of our affirmative action programs.
 - (ii) Indicate when remedial action is needed.
 - (iii) Determine the degree to which our goals and objectives have been attained.
4. Advising management and supervisory personnel on developments in the laws and regulations governing equal employment opportunity.
5. Serving as liaison between the Company and all enforcement agencies.
6. Identifying problem areas and establishing goals and objectives to remedy underutilization in major job groups, if any underutilization exists.
7. Conferring with community organizations representing women, minorities, veterans, the disabled and older workers.

8. Auditing periodically our on-the-job training, hiring and promotion patterns to remove impediments to attainment of the Company's goals and objectives.
9. Rating supervisory employees based, in part, upon their efforts and success in furthering the goal of equal employment opportunity, and informing supervisory employees of this evaluation practice.
10. Discussing periodically the Company's commitment to equal employment opportunity with managers, supervisors, and employees. During these discussions, the EEO Coordinator will stress the importance of affirmative action, as well as nondiscrimination.
11. Reviewing the qualifications of all employees to insure that minorities and women are given full opportunities for transfers, promotions and training.
12. Providing access to career counseling for all employees.
13. Conducting periodic audits to ensure that the Company is in compliance with federal and state laws and regulations requiring:
 - (i) Proper display of posters explaining the Company's obligation to engage in nondiscriminatory employment practices.
 - (ii) Integration of all facilities which we maintain for the use and benefit of our employees.
 - (iii) Maintenance of comparable facilities, including locker rooms and rest rooms, for employees of both sexes.
 - (iv) Providing full opportunity for advancement and encouraging minority and female employees to participate in educational, training, recreational and social activities sponsored by the Company.
14. Counseling supervisors and managers to take actions necessary to prevent harassment of employees placed through affirmative action efforts and to eliminate the cause of such complaints. Further, the EEO Coordinator will

counsel supervisors and managers not to tolerate discriminatory treatment of any employee by another employee or supervisor and to report all complaints or incidents to him.

43

15. Establishing an internal complaint system that will enable employees to discuss complaints with the EEO Coordinator whenever they feel that they are being discriminated against on the basis of race, color, religion, sex, national origin, disability or veterans' status.
16. Serving as liaison between the Company and community organizations representing minorities, women, veterans, the disabled and older workers.
17. Developing expertise and knowledge of equal employment opportunity guidelines and regulations in order to advise and update top management and supervisory personnel concerning developments affecting our equal employment opportunity program.

B. The Responsibilities of Supervisors and Managers

All supervisors and managers must share in the day to day responsibility for implementing the affirmative action programs set forth in this plan. Specifically, they must endeavor to:

1. Respond to inquiries about our Affirmative Action and Equal Employment Policy, after consulting with our EEO Coordinator.
2. Assist our EEO Coordinator during the investigation of allegations of discrimination.
3. Participate in recruitment and accommodation efforts designed to enable disabled individuals, disabled veterans and others to secure employment and to advance to positions for which they are qualified.
4. Ensure that all federal and state posters explaining the laws prohibiting discrimination are properly displayed.
5. Participate in the development and implementation of affirmative action programs.

S 000573

DISSEMINATION OF EQUAL EMPLOYMENT POLICYI. Internal Dissemination

The Company will take the following actions to disseminate its Affirmative Action and Equal Employment Policy, as appropriate, on a regular and continuing basis.

A. Including the Affirmative Action and Equal Employment Opportunity Policy statement in its policy manual and employee handbook, as published. A copy of our EEO Policy, which is contained in our Employee Handbook, is attached at the end of this section.

B. Meeting with supervisory personnel to explain the intent of the Affirmative Action and Equal Employment Policy and their individual responsibilities for its implementation. We conducted supervisory training for all management about equal employment opportunity, affirmative action and sexual harassment during Plan Year 1995 and have continued the training into Plan Year 1996. We have attached information relating to our supervisory training at the end of this section.

C. Scheduling special meetings with employees or using Company newsletters to discuss and explain individual employee responsibilities or opportunities under the affirmation action program. During the current plan year we will be conducting

training for all employees about our affirmative action program and equal employment opportunity in the workplace.

D. Discussing our equal employment policy during any orientation programs we hold, at which time all new employees (and if applicable, transferred and promoted employees) will be advised of our commitment to affirmative action and equal employment opportunity. Our Affirmative Action and Equal Employment Opportunity Policy statement and policy statements affirmatively supporting the employment of minorities, veterans, the disabled and women will be explained during these sessions. During these orientation sessions a management representative from various areas of the Company, including Human Resources, explains the function of their department. Our Affirmative Action and Equal Employment Opportunity Policy statement and policy statements affirmatively supporting the employment of minorities, veterans, the disabled and women are explained during these sessions. We have attached at the end of this section an "Overview of New Employee Orientation Process", which includes a copy of our "New Employee Checklist," and addresses equal employment opportunity and affirmative action in the workplace.

E. Posting the Affirmative Action and Equal Employment Policy, along with all required State and federal informational posters, on our bulletin boards, and updating such posters as required. Our "Affirmative Action and Equal Employment Opportunity Policy Statement", "Invitation to Vietnam Era and

IDENTIFICATION OF PROBLEM AREAS (DEFICIENCIES)
BY ORGANIZATIONAL UNIT AND BY JOB GROUP

I. UNDERUTILIZATION

The EEO Coordinator conducted a Utilization Analysis for the 1996 Plan Year in which she compared the workforce representation of minorities and females to their statistical availability by job group. The Utilization Analysis led the Company to identify the following areas of underutilization:

Females are statistically underutilized in job groups 101 (Senior Managers) and 201 (Senior Professionals).

Minorities are statistically underutilized in Job Group 202 (Other Professionals Technicians).

The Company is addressing these potential problem areas by establishing goals which we will attempt to achieve through specific action oriented programs, which are described in the section of this plan entitled "Action Oriented Programs." Our Utilization Analysis and Goals are contained behind the tabs, so named, in this affirmative action plan.

II. ADVERSE IMPACT

To determine if our selection procedures have an adverse impact upon minorities and females during the first six months of our 1996 Plan Year, we conducted an adverse impact analysis upon our selection decisions. We compared the selection ratios of minorities and females to those of non-minorities and males, respectively, in the areas of hiring, promotion and termination. Through this analysis we discovered no areas for this time period of statistically significant adverse impact.

As a result of our adverse impact analysis, we examined each of the selection decisions that occurred in job groups where adverse impact was discovered as described in the Action Oriented Programs section of our plan. Furthermore, a full impact ratio analysis of our selection decisions and a narrative discussion of the legitimate business reasons supporting our decisions is found behind the "Jaar Analysis, Impact Ratio Analysis and Placement Analysis" tab.

III. IN GENERAL

In addition to the above, the EEO Coordinator will, on an annual basis, as applicable, identify potential problem areas in the total employment process, which may include review of the following areas:

- A. Composition of the workforce by minority group status and sex.

- B. Composition of applicant flow by minority group status and sex.
- C. Overall employee selection process including position specifications, application forms, interviewing procedures, test administration, test validity, referral procedures, final selection process, and other employee selection procedures.
- D. New hires, promotions, terminations, etc.
- E. Utilization of training, recreation and social events and other programs that are sponsored by the Company.
- F. Technical phases of compliance with laws prohibiting discrimination in employment and promoting affirmative action programs, e.g., retention of applications, notifications to subcontractors, etc.
- G. "Underutilization" of minorities or women in specific job groups.
- H. Lateral or vertical movement of minority or female employees occurring at a lesser rate than that of non-minority or male employees.
- I. The selection process eliminating a significantly higher percentage of minorities or women than non-minorities or men.
- J. Application and other preemployment evaluation forms or procedures not in compliance with federal or state law.
- K. Position descriptions inaccurate in relation to actual functions and duties of that particular job.
- L. De facto segregation, by race or sex, existing in job titles or job groups.
- M. Seniority provisions contributing to overt or inadvertent discrimination by minority group status or sex.
- N. Non-support of our affirmative action and equal employment programs and policies by managers, supervisors or employees.
- O. Minorities or women significantly underrepresented in training or career improvement programs.
- P. Lack of formal techniques for evaluating effectiveness of the programs set forth in this Plan.

From: Susan Funk
To: SBENKA, JBARKER, GCOLLINS, PELLiot, TFEDER, CHARRI...
Date: 18 Sep 1997 (Thu) 13:29
Subject: Additional Agenda items...

I have been asked to e-mail this to all of you.

-- Susan

Here are some critical topics we would like to see on the agenda for next week's Content Retreat.

(1) Revised editorial structure: implementation of the long-deferred editorial board to increase staff's participation in editorial function and decision making.

While some may regard this as "process" and not a valid part of this "content" retreat, this step is essential for any meaningful changes in content to be successfully implemented. PT has a highly talented staff that is frustrated by the current structure, which prevents the staff from making a significant and ongoing contribution to enhancing the magazine's quality. Implementing the editorial board is the best way to make the magazine's content more timely, lively, and interdisciplinary.

All the editorial staff should be part of the editorial board.

(2) Revised outlook: an outlook that is more independent, more daring, more thought-provoking, more representative of diverse views in the physics community, more appealing to younger readers, more responsive overall not just to our current readers but to the additional readers we would like to have, more competitive.

(3) Added functions: to provide a forum for debate, to discuss openly issues relevant to the physics community (including controversial or contentious ones), to underscore the social context and relevance of physics.

(4) Added department: creation of "reader viewpoint" feature in which PT publishes reader responses to questions formulated by the staff.

How this would work: In one issue we publish the topic on which we want readers to give their opinions. In a later issue, we publish a representative sampling of those opinions. Such a feature would create a lot of reader interest and could play a valuable role in the society of physicists. Our topics and the subsequent opinions could become the talk of physics coffee rooms and pre-colloquium gatherings.

(5) Revised departments: discontinue reporting of awards and job changes.

The undersigned believe that it is essential that these topics be discussed at the content retreat.

Judy Barker, Graham P. Collins, Chas Day, Paul Elliott, Toni Feder, Jean Kumagai, Elliot Plotkin, Jeff Schmidt.

16 March 1998

Dear Graham,

At the Physics Today staff meeting on 3 March, the editor announced your upcoming departure and called it simply "the big news." We found that characterization offensively neutral. The resignation of a dedicated, long-time staff member is not just "news"; it is a huge loss for both the staff and the readers of the magazine, and it is a failure on the part of the magazine. We are extremely sorry you are leaving Physics Today.

The fact that those in charge are not encouraging you to reconsider is consistent with their behavior toward you over the months, and it leads us to believe that they are not 100% unhappy about your resignation. We think they are fully aware and appreciative of your extraordinary dedication and hard work. But we think they nevertheless have mixed feelings about your presence on the Physics Today staff because you have been an outspoken voice for change at the magazine. We share your frustration over management's continued resistance to badly needed improvements, and so we find your decision to resign quite understandable. Nevertheless, we are sorry to lose you.

Of course, driving away people who point out problems will make for a seemingly smoother operation. But such maintenance of appearances comes at a very high price, because problems that are not clearly exposed cannot be adequately addressed or corrected. We have all seen this in the grossly mismanaged effort to prepare the 50th anniversary issue of the magazine. After each of the many meetings that we have had on this special issue -- meetings at which staff suggestions have been routinely ignored and important decisions routinely deferred -- staff members have whispered to each other privately, in the strongest possible terms, about the absurd amount of time and money being wasted. Nearly everyone agrees that the effort is being grossly mismanaged, but because no one has felt safe enough to bring the matter out into the open at a meeting, there has been no real discussion of how the effort could be better organized and executed. And so after all this time the managers have done nothing to improve the way it is being managed.

During the past year, Physics Today management has moved toward a more repressive work environment and toward a love-it-or-leave-it policy. As you know all too well, there is now much less pretense that "improve it" is a realistic option. Management has become suspicious of anything that could lead to change, and they act against it no matter what the cost to morale or to the readers and the physics community. Take, for example, Steve Benka's recent order forbidding private conversations between staff members at work and declaring that all conversations between staff members must be open to management supervision. Although

50

2

Charles Harris later told someone on the staff that this totalitarian measure would not be enforced, it has not been officially retracted, and so the chill remains.

Almost four months ago the Physics Today advisory committee warned that "PT could experience severe losses in its editorial staff if morale issues are not being addressed or are being addressed in a cursory manner. This issue needs continued and heightened attention from management." Physics Today management chose to ignore this warning, and now with your departure we are suffering the predicted consequence. (The magazine's loss of Susan Funk, who quietly cleaned out her desk on Friday 6 March and never came back, was also the result of frustration, we think, with the impediments to fashioning her editorial assistant position into something more than a dead-end job.)

Those in charge should not forget that Physics Today is a trust of the physics community. To needlessly lose dedicated and experienced staff members, especially those who make the extra effort to improve the magazine and the workplace, is to squander the physics community's valuable resources.

We hope some way will be found to keep you at Physics Today, although we realize that this is unlikely to happen. We have been fortunate to have you as a colleague, and we gained much from your honesty and insight. We hope you keep up the spirit in whatever you do.

S 000580

From: Stephen Benka
To: ALL-PT
Date: 17 Nov 1996 (Sun) 18:24
Subject: Job Security

TO: All PT Staff
FROM: Steve Benka
SUBJECT: Job Security

Item number 1 on the anonymous agenda expresses concern about speaking one's mind.

Nobody's job will be jeopardized by speaking freely and airing their views on matters pertinent to the magazine. I actively encourage the expression of views that may differ from my own. It is by pooling all of our individual experience, all of our individual creativity, all of our individual ideas and resources that we can get to the root causes of our concerns, and find solutions. Freedom to talk to each other about them is essential. I caution us all, however, to focus our energies and discussions on the issues --- not on the personalities involved. Certainly personal attacks are not productive.

I repeat. The retreat, and Physics Today in general, is a 'safe' place for such discussions.

There are, however, no guarantees of lifetime employment at AIP for any of us, from the Publisher on down (and up). We all have jobs to do, and we must do them well. Basing job security on job performance is sound. That won't change.

S 000628

Charles Harris, 15 October 1997

the opportunity to help shape the magazine, but are also provided a safety net? Whether we resent it or not, PHYSICS TODAY is still the prime reason for membership in our member societies, and as Kumar Patel has pointed out, any change in PHYSICS TODAY makes our member societies very nervous. Witness the task force that has just been formed at APS to evaluate PHYSICS TODAY.

Anyway, after a lengthy conversation with Graham Collins and some subsequent speaks with Steve Benka, here are some suggestions that I came away with that should improve our working environment and might even produce a better magazine:

- Monthly general meetings. My record on this is not good, but I think we now have a simple mechanism to insure they take place: schedule the next one at the end of this one. All of the staff are expected to attend. They last two hours. Anyone can suggest items for the agenda. The group determines the agenda, but time limits must be set. The majority must be mindful of the rights of those holding minority points of view. Decorum must be courteous and respectful. Issues that cannot be addressed or resolved within allotted time limits may be held over to future meetings. Management must always reserve the right to make final decisions, but must be mindful of the collective will of the staff.
- Basic rules of conduct. No biting, no rabbit punches, no hitting below the belt, no disruptive behavior, no individual or collective intimidation. While we can't guaranteed life employment—performance reviews are still the responsibility of those with management responsibilities, and continued employment is based on satisfactory performance—the staff should be free to engage in constructive criticism and discussion without fear of retribution.
- Polled responses to new ideas and suggestions. We do it for cartoons; why not do it for

4 February 1998

Hi Graham,

It sounds like you are in a great place, a different world physically and in spirit. News travels far and fast, and so I see that you already know that your coworkers have been treated to a "down under" experience of a very different sort. The description of events that you received was a good one, in my opinion, and shows the skills of a good reporter. I'll give you my report here, because it contains some additional information.

On Thursday 22 January 1998 I met with Charles Harris to ask him to get Stephen Benka off my case. Benka had been pressuring me to stop doing anything that takes up any support staff time at all. I told Harris that support staff can contribute a lot to making the editorial work go well, and that his apparent new policy for support staff work -- that it should give priority to advertising and other revenue-producing work over editorial work -- was bad for the magazine. When Judy was part of the support staff, most of her time was shifted to the Buyers' Guide, which was brought in-house to save money. Now they are shifting more and more of Rita's time to advertising work. And they aren't replacing the lost editorial support. Instead, they are pressuring editorial staff to take on more work. Management philosophy seems to be: Why pay \$15 an hour for clerical work when you can pay \$30? Their real philosophy, of course, is simply to get the editorial staff to do more.

I told Harris that behind all this is the way his salary is structured -- tied to reducing the magazine's budget deficit. To my claim that his salary structure is distorting our priorities, he said that he doesn't always do what is best for his salary. As proof, he pointed out that we usually don't run four feature articles in the magazine. He then quickly changed the subject, realizing, I think, that he has never revealed that his salary is tied to upping our output to four articles per month. By the way, over my objection (and over Bert's indication of support for my objection), they are running four substantial feature articles in the March issue, even though we have no backlog and no additional staff. The other day Harris broke new ground in his privileging of advertising over editorial by bringing his advertising manager to an editorial meeting and letting the needs of advertising set the agenda. They forced the meeting to make a big editorial decision after very little discussion, for the sake of advertising. Warren objected strongly; Gloria called it "bullying."

Harris told me that he is open to hiring more support staff, but that we would have to discuss it first at a staff meeting, possibly the next one. I told him that some of us thought we had already discussed it at length at staff meetings and that the need was clear.

Overall, Harris said that he wasn't inclined to give me much consideration, because of my organizing activity last

S 000752

year. And he mentioned your name here too, Graham, as another unforgivable transgressor. "You tried to get me fired," he said, speaking either about me alone, or about you and me, or about all those involved. I said that isn't true! He said that if I believe that, then I must be very naive. And his attitude indicated that he doesn't think I believe that and that he doesn't want to even consider the possibility that I do. I think he wants to believe that I tried to get him fired, because according to his value system that would give him both the desire and moral right to fire me or drive me out, which now appears to be his agenda.

In pursuit of that agenda, Harris appears to have given Benka license to go after me and maybe all of management's perceived enemies on the staff. Around 6 pm on Wednesday 28 January 1998, I was in my office talking to Toni on the telephone when Benka opened the door and asked rudely and sarcastically if I was talking to one of our authors. I said, "No, I'm talking to a coworker, Toni." He acted as if he already knew that. He stepped further into my office and said that he wanted in on our conversation. I found this shocking, of course, and unprecedented. I switched Toni to the speakerphone and told her that Steve was here and wanted to be in on our conversation. She sounded equally shocked. Benka suggested that she come over to my office, and she said OK. Without saying anything, I walked out of my office and into the open area of desks just outside, and Benka followed. I did this to make room for Toni and to get some physical distance between myself and a former post office employee who was clearly behaving very strangely. Toni arrived quickly.

Benka asked me and Toni what we had been talking about on the telephone. I thought his question was way out of line, but I nevertheless told him: We had been discussing the May 1998 50th anniversary issue of Physics Today. (That is ironic, because every May-issue meeting that Benka has been a part of has been a disaster. Virtually every member of the staff thinks that that issue has been badly mismanaged, and no one thinks that yet another meeting with Benka is the way to generate the ideas that the magazine desperately needs to salvage it.) But after giving that short answer, I said that the important question is why he was trying to barge in on our conversation.

He said that he is forbidding all private conversations between staff members at work. From now on, all conversations between staff members must be open to management supervision, he said. When I asked him why, he referred to the organizing activity that took place last year and said that he doesn't want that to happen again. (He and Harris have no doubt that I played a leading role in that.) This looked like a retaliatory and repressive policy aimed more at me than at the rest of the staff, and so I

asked him whether or not it applies to everyone. He said it does. I didn't believe him (but I didn't say that I didn't believe him), and so I pressed him three or four times to say whether or not he was going to announce the new policy to the rest of the staff. His final statement was that he knows that I want to know that.

Of course, even if the new repressive policy is not formally announced, no one can afford to take a chance on violating it -- especially Toni and me, to whom it was announced formally. (Paul got a semi-formal announcement, as the discussion took place right outside his door, which was open at the time.) News of management's dim view of private conversations has spread throughout the staff by way of -- yes, you guessed it -- private conversations.

Even though Benka's Gestapo-like enforcement of the new policy was very frightening, in the middle of it all Toni managed to point out that we don't have the bi-weekly Q&A meetings anymore. If management wants to know what the staff is concerned about, they can have such meetings rather than monitor our conversations. Benka ignored her: I think Toni's idea is a good one and should be among our arguments and suggestions.

About half an hour before Benka busted up the telephone conversation between Toni and me, he did something that in retrospect was clearly part of the new repression but at the time felt merely strange and creepy. I had stopped by Toni's office to give her a newspaper article that I thought might interest her. It was about the Clinton/Lewinsky affair, which we had discussed earlier in the day. The article was a brief historical survey showing that presidents who cheated on their wives were more likely to lie to the public as well, justifying public interest in this sort of thing. Toni and I discussed the article briefly and then discussed the 50th anniversary issue. During the latter discussion, Benka opened the door to Toni's office, entered the room and asked if he could join in the conversation. This seemed very strange, of course, especially because he did not know what we were talking about. Toni was perfectly polite in spite of Benka's rude entry. She pointed out the article that I had brought by, dutifully restarting our conversation about it from the beginning for Benka. The three of us discussed the issue for a while, during which Toni and I were treated to editor Benka's view that the press should know its place and not try the president. It was an awkward discussion, because I and maybe Toni (she can speak for herself) were not really interested in speaking with Benka. When we finished the discussion, Benka showed no sign of leaving Toni's office. He indicated in a subtle but clear way that he would not leave first. This was not only bizarre, but also had something of an ugly edge to it. Although we had no idea what was going on, Toni and I acted quickly to undo the

situation -- she by immediately announcing that she had work to do, and I by quickly leaving the room. Benka and I then spoke about feature articles for ten minutes or so at his office. That conversation consisted of me detailing for him all the progress I had made on a number of articles. The discussion was pleasant, although not really necessary, and he acted pleased and calm throughout. However, when we finished talking, I walked toward Toni's office, and Benka followed me. He asked if I was going to Toni's office, and I said yes. He asked if he could come along. By that time he had already followed me most of the way to her office. I told him that she and I were in the middle of a conversation that we had started earlier in the day, and that it would take too long to fill him in on all the background. We discussed this briefly, and he finally suggested that neither one of us go to Toni's office. I didn't say anything one way or the other, and he went back to his office. I noticed a box nearby containing copies of the latest issue of the magazine; I took one and went back to my office. Later, when Toni and I spoke on the telephone about the 50th anniversary issue, we began our conversation by trying, without success, to figure out our supervisor's mysterious and disturbing behavior earlier.

S 000755

Probe prompts concerted defense of the staff's right to discuss workplace issues privately

From: Stephen Berka
To: Jeff Schmidt
Date: 8/19/99 7:09pm
Subject: First thoughts on your response to the review

Jeff,

Because you didn't have time to discuss your response to your review when you gave it to me, here are my initial thoughts on the inaccuracies that you perceive. Let's discuss this further as soon as possible.

Your example #1: You neglected to mention that, initially, you had wanted to count Goldstein as one long article, not two. However, because you had completed Goldstein within the previous review cycle, and because you were two full articles short of your already reduced (because of your cancelled paternity leave) production goal for last year, we counted them as two and included them in that cycle. This ensured that you would receive an "acceptable" rating, which was clearly in your best interest.

Each editor who worked on decadal excerpts for the anniversary issue did the equivalent of one full article's work in his or her decade. There would be no reason to count yours otherwise, except that your work on your decade had to be largely redone by someone else.

As of today, to my knowledge, the Will article is not yet completed. If it were, I would count it as an article completed within this review period.

Your example #2: You are right that I should have discussed the change of weights with you. I apologize for not having done so. Let's discuss and agree on your job description as soon as possible.

Your example #3: My description is accurate.

Your example #4: Your appeal to Charles Harris, Theresa Braun, and James Stith was the proper procedure to follow. However, as we discussed earlier today (and at other times), your surreptitious circulation of your response to the staff was entirely inappropriate.

I still would like you to tell me which member or members of the staff you have discussed this year's review with.

-Steve

Here my supervisor, in response to my discussions with coworkers about workplace issues mentioned on my review, repeats his demand to know which employees were involved in those discussions.

S 000767

Messages to my coworkers Paul Elliott, Toni Feder, Jean Kumagai and Warren Kornberg

Juno e-mail printed Fri, 20 Aug 1999 14:14:46 , page 1

From: Jeff Schmidt <jeff-schmidt@juno.com>
 Received: (from jeff-schmidt@juno.com)
 by m4.jersey.juno.com (queuemail) id EJGYUQBF; Fri, 20 Aug 1999 14:04:47 EDT
 Return-path: jeff-schmidt@juno.com
 To: lugenbold@juno.com, tfeder@wam.umd.edu, jak@interport.net
 Cc: jeff-schmidt@juno.com
 Date: Fri, 20 Aug 1999 14:04:47 EDT
 Subject: Naming names
 Message-ID: <19990820.140725.15951.0.jeff-schmidt@juno.com>
 X-Status: Read
 X-Mailer: Juno 1.49

Hi Paul, Toni and Jean,

I just sent the message below to Warren. I don't know if he will get it before Tuesday, when he is next in the office. As you will see, it applies to you, too, but I thought it would be best to keep the message to Warren separate. (Please be careful not to mention his name in the context of this stuff.) Any suggestions or offers?

Jeff

Hi Warren,

My discussion with Steve Benka about my performance review took place yesterday afternoon (Thursday 19 August 1999). It went more or less as expected (he basically didn't budge), except for one thing: He indicated that what he said about me in the review was confidential. At first I took that to mean that the review was confidential like a doctor's report, which goes only to the patient, to protect the patient's privacy. But it quickly became clear that what he meant was that he didn't want me to tell anyone what he said about me in the review — for his protection, not mine.

I responded by saying that most of the staff doesn't understand "confidential" to mean that they are forbidden to talk about their reviews (it is often necessary to talk about a review to check its accuracy), and I pointed out that they commonly discuss such things with their coworkers. Besides, I said, in this case it's too late, because I have already discussed it with a coworker (more than one, actually), and I didn't ask that person not to discuss it with others. So lots of people could know about it by now (I'm sure they do).

Benka appeared to be genuinely surprised and disturbed that people talk to each other about these things. I told him that I was surprised that he was surprised. I said that lots of people here talk to each other about everything, and that's a good thing -- it's a sign of closeness. He was also disturbed that I had discussed the review with a coworker, and he asked me to tell him who it was. (I won't do that, of course.) I said that I didn't want to get anyone in trouble. He indicated that he still wanted to know. So I offered to ask the person if it would be ok to mention his or her name. At the end of the meeting, Benka said again that he wanted to know who it is. And a few hours later, at the end of a not-very-interesting e-mail message to me about other aspects of the review, he wrote this:

S 000768

Juno e-mail printed Fri, 20 Aug 1999 14:14:46 , page 2

>I still would like you to tell me which
>member or members of the staff you have
>discussed this year's review with.

>--Steve

So I am now contacting all the people whom I think know about my review, to get their ideas on what I should tell Benka.

Jeff

Get the Internet just the way you want it. Free software, free e-mail, and free Internet access for a month! Try Juno Web: <http://dl.www.juno.com/dynoget/tagj>.

S 000769

Juno e-mail printed Sat, 21 Aug 1999 01:29:13 , page 1

From: Toni Feder <tfeder@wam.umd.edu>
Received: from mx2.jersey.juno.com (mx2.jersey.juno.com [209.67.34.54])
by m4.jersey.juno.com with SMTP id AAA555HGZAWJHMDS
for <jeff-schmidt@juno.com> (sender <tfeder@wam.umd.edu>);
Fri, 20 Aug 1999 14:22:15 -0400 (EST)
Received: from mx5.boston.juno.com (mx5.boston.juno.com [205.231.100.53])
by mx2.jersey.juno.com with SMTP id AAA555HGZATTN59J
for <jeff-schmidt@juno.com> (sender <tfeder@wam.umd.edu>);
Fri, 20 Aug 1999 14:22:15 -0400 (EST)
Received: from wilson.acpub.duke.edu (wilson.acpub.duke.edu [152.3.233.69])
by mx5.boston.juno.com with SMTP id AAA555HGZAKSV2Y2
(sender <tfeder@wam.umd.edu>);
Fri, 20 Aug 1999 14:22:15 -0400 (EST)
Received: from wam.umd.edu (async249-51.async.duke.edu [152.3.249.51])
by wilson.acpub.duke.edu (8.8.5/Duke-4.6.0) with ESMTP id OAA02801;
Fri, 20 Aug 1999 14:22:11 -0400 (EDT)
Return-path: <tfeder@wam.umd.edu>
Reply-To: tfeder@wam.umd.edu
To: Jeff Schmidt <jeff-schmidt@juno.com>
Cc: lugenbold@juno.com, jak@interport.net
Date: Fri, 20 Aug 1999 14:25:15 -0400
Subject: Re: Naming names
Message-ID: <37BD9D7F.A57F16F9@wam.umd.edu>
References: <19990820.140725.15951.0.jeff-schmidt@juno.com>
X-Status: Read
X-Mailer: Mozilla 4.04 (Macintosh; I; PPC)

Hi Jeff, Jean, Paul,

obviously I don't think you should tell Steve whom you discussed your review with. Since he is so harsh with you, it would only impugn those people by association -- why does he want that info? It seems he would use (or at least hold) it against us. So I absolutely don't want him to know I am among those people. Also, don't forget, Chas is among those people.

I don't know what you should tell him-- just that the person/people involved felt that it would be used against them? Or more simply, they felt uncomfortable with that request? something like that.

Maybe you could say something like, "The conversations I had with (some of) my coworkers were private, and they feel it would be an invasion of their privacy for me to reveal their names just because they talked with me. I'm sorry I can't reveal anyone's name."

S 000770

You could add something reassuring, if you can think of anything. Something to let him know you are not planning or inciting a rebellion among the staff....

Toni

From: "Jean A. Kumagai" <jak@interport.net>
Received: from mx2.jersey.juno.com (mx2.jersey.juno.com [209.67.34.54])
by m4.jersey.juno.com with SMTP id AAA555KHSAZ77UWS
for <jeff-schmidt@juno.com> (sender <jak@interport.net>);
Fri, 20 Aug 1999 14:56:48 -0400 (EST)
Received: from mx5.boston.juno.com (mx5.boston.juno.com [205.231.100.53])
by mx2.jersey.juno.com with SMTP id AAA555KHSAXKWHG2
for <jeff-schmidt@juno.com> (sender <jak@interport.net>);
Fri, 20 Aug 1999 14:56:48 -0400 (EST)
Received: from amsterdam.interport.net (amsterdam.interport.net [199.184.165.19])
by mx5.boston.juno.com with SMTP id AAA555KHSAPY897A
(sender <jak@interport.net>);
Fri, 20 Aug 1999 14:56:48 -0400 (EST)
Received: from [209.122.227.240] (209-122-225-172.s172.tnt1.nyw.ny.dialup.rcn.com
[209.122.225.172])
by amsterdam.interport.net (8.8.5/8.8.5) with ESMTP id OAA01347;
Fri, 20 Aug 1999 14:56:57 -0400 (EDT)
Return-path: <jak@interport.net>
In-Reply-To: <37BD9D7F.A57F16F9@wam.umd.edu>
To: tfeder@wam.umd.edu, Jeff Schmidt <jeff-schmidt@juno.com>
Cc: lugenbold@juno.com, jak@interport.net
Date: Fri, 20 Aug 1999 14:58:36 -0500
Subject: Re: Naming names
Message-ID: <v03110711b3e35d5dc946@[209.122.227.240]>
References: <19990820.140725.15951.0.jeff-schmidt@juno.com>
X-Status: Read

Hi Jeff (and Toni and Paul),

I don't know what would be the best way to respond to Benka. I personally don't mind if you tell him you talked to me. On the other hand, if you think it would be stronger to say that nobody wanted their name revealed for fear of retribution, then I definitely do not want you to mention my name.

You can also tell Benka that I agree with everything in both of your responses to your performance reviews, that I'm appalled by his deviousness, that I consider you to be an extremely supportive and valuable colleague, and that the long-standing morale problem at PT (which obviously did not originate with your distributing your appeal to the staff) will only get worse if he doesn't improve his attitude. You might also add that management's increasingly repressive policies may soon lead to the voluntary departure of one of its best editors. :)

S 000771

Should I tell anybody else on the staff about your review? It will have to

wait until after I get back from Maine.

Jean

At 2:25 PM -0400 8/20/99, Toni Feder wrote:

>Hi Jeff, Jean, Paul,

>

>obviously I don't think you should tell Steve whom you discussed your review
>with. Since he is so harsh with you, it would only impugn those people by
>association -- why does he want that info? It seems he would use (or at least
>hold) it against us. So I absolutely don't want him to know I am among those
>people. Also, don't forget, Chas is among those people.

>

>I don't know what you should tell him-- just that the person/people involved
>felt that it would be used against them? Or more simply, they felt
>uncomfortable with that request? something like that.

>

>Maybe you could say something like, "The conversations I had with (some of) my
>coworkers were private, and they feel it would be an invasion of their privacy
>for me to reveal their names just because they talked with me. I'm sorry I
>can't reveal anyone's name."

>

>You could add something reassuring, if you can think of anything. Something to
>let him know you are not planning or inciting a rebellion among the staff....

>

>Toni

S 000772

From: Warren Kornberg
To: Jeff Schmidt
Date: 8/20/99 8:11pm
Subject: Re: Naming names

Jeff:

1--e-mail is not confidential, and if you want to be sure, it should not be used for things (like naming names) you do not want discussed.

2--I don't think there is any reason you should be required to disclose conversations you might or might not have had with other people in the building. With whom you discuss your business is your business. If you want to tell him you talked to me, that, too, is your business; I don't really care. But as you spell it out, the demand seems high-handed.

3--As far as the review's confidentiality is concerned, I believe that it is, but as a restriction on the management, not on you.

w

>>> Jeff Schmidt 08/20/99 01:42PM >>>
Hi Warren,

My discussion with Steve Benka about my performance review took place yesterday afternoon (Thursday 19 August 1999). It went more or less as expected (he basically didn't budge), except for one thing: He indicated that what he said about me in the review was confidential. At first I took that to mean that the review was confidential like a doctor's report, which goes only to the patient, to protect the patient's privacy. But it quickly became clear that what he meant was that he didn't want me to tell anyone what he said about me in the review -- for his protection, not mine.

I responded by saying that most of the staff doesn't understand confidential to mean that they are forbidden to talk about their reviews (it is often necessary to talk about a review to check its accuracy), and I pointed out that they commonly discuss such things with their coworkers. Besides, I said, in this case it's too late, because I have already discussed it with a coworker (more than one, actually), and I didn't ask that person not to discuss it with others. So lots of people could know about it by now (I'm sure they do).

Benka appeared to be genuinely surprised and disturbed that people talk to each other about these things. I told him that I was surprised that he was surprised. I said that lots of people here talk to each other about everything, and that's a good thing -- it's a sign of closeness. He was also disturbed that I had discussed the review with a coworker, and he asked me to tell him who it was. (I won't do that, of course.) I said that I didn't want to get anyone in trouble. He indicated that he still wanted to know. So I offered to ask the person if it would be ok to mention his or her name. At the end of the meeting, Benka said again that he wanted to know who it is. And a few hours later, at the end of a not-very-interesting e-mail message to me about other aspects of the review, he wrote this:

>I still would like you to tell me which
>member or members of the staff you have
>discussed this year's review with.

S 000773

>--Steve

So I am now contacting all the people whom I think know about my review, to get their ideas on what I should tell Benka.

Jeff

PS -- Careful with those computer buttons! I just noticed that your brief e-mail message to me yesterday morning also went out to Jeff Bebee, Georgina Guagenti and advtsg. No harm done.

S 000774

Juno e-mail printed Mon, 23 Aug 1999 01:34:13 , page 1

From: Paul J Elliott <lugenbold@juno.com>
Received: from mx1.jersey.juno.com (mx1.jersey.juno.com [209.67.33.54])
by m4.jersey.juno.com with SMTP id AAA56BC8WANXWDKA
for <jeff-schmidt@juno.com> (sender <lugenbold@juno.com>);
Sun, 22 Aug 1999 19:46:28 -0400 (EST)
Received: from m6.boston.juno.com (m6.boston.juno.com [205.231.101.197])
by mx1.jersey.juno.com with SMTP id AAA56BC8WAJ6CKW2
for <jeff-schmidt@juno.com> (sender <lugenbold@juno.com>);
Sun, 22 Aug 1999 19:46:28 -0400 (EST)
Received: (from lugenbold@juno.com)
by m6.boston.juno.com (queueemail) id EJNQ7AHQ; Sun, 22 Aug 1999 19:46:11 EDT
Return-path: <lugenbold@juno.com>
To: jeff-schmidt@juno.com
Cc: tfeder@wam.umd.edu, jak@interport.net
Date: Sun, 22 Aug 1999 19:46:11 EDT
Subject: Re: Naming names
Message-ID: <19990822.202344.4631.0.Lugenbold@juno.com>
References: <19990821.120842.14367.0.jeff-schmidt@juno.com>
X-Status: Read
X-Mailer: Juno 1.49

Jeef (Jean, Toni too):

I think Warren is correct, but I further recommend that you tell Benka nothing other than that, having discussed the matter further with people you trust and respect, you have decided to tell him nothing more about any performance-review-related discussions you have had with AIP employees, non-AIP journalists, or outside lawyers.

And tell him so in writing, on the chance that you can develop a Benka-incriminating paper/electron trail.

To that end, I also recommend that you consider preceding that memo with one of inquiry, asking him to tell you why he wants you to name names, and what he intends to do once he knows those names.

However, If you have no stomach for ensnaring him, then I suggest you simply request that he cease harassing you with threats, demands, gag orders, trumped-up allegations, and ad hoc declarations of confidentiality. You could also be kind and offer to send him some easy-to-understand information on such topics as freedom of speech and the right of assembly.

Paul

S 000775

On Sat, 21 Aug 1999 12:06:03 EDT Jeff Schmidt <jeff-schmidt@juno.com> writes:
>Hi Toni, Paul and Jean,
>
>Here's some stuff from and to Warren, relevant to all. Paul, do you
>want to comment on Benka's request that I name names?
>
>Jeff
>
>-----

Juno e-mail printed Mon, 23 Aug 1999 01:34:13 , page 2

>
>Jeff:
>--I don't think there is any reason you should be required to disclose
conversations you might or might not have had with other people in the
>building. With whom you discuss your business is your business. If
>you want to tell him you talked to me, that, too, is your business; I
>don't really care. But as you spell it out, the demand seems high-handed.
>
>--As far as the review's confidentiality is concerned, I believe that it is, but
as a restriction on the management, not on you.
>w
>
>-----
>
>Hi Warren,
>
> Thank you for basing your response to Benka's demand on principle, rather
than on fear.
>
> I am still thinking about what to tell him, but I am leaning very strongly
toward not giving him any names, even though you and some others have given me
permission to do so. I don't want to give the appearance of finding a
totalitarian request acceptable.
>
> One thing I am thinking about doing is simply quoting people's responses
(yours and about three others), leaving out their names and anything else that
might identify them, and also leaving out the sentences where they give me
permission to mention their names.
>
> If Benka wants to know more, he can ask individual staff members whether or
not I discussed my review with them. One useful response might be to simply tell
him the truth -- that I said that I was trying to determine whether or not the
review was accurate, and so we went over the review and compared it to the facts
as we remembered them. And, of course, let him know the outcome. Another
response might be to refuse to report on private conversations but to say that
someone did show you the review and that you are willing to discuss its
>accuracy. Whatever; I'm not worried; Benka doesn't present much of an
>intellectual challenge in these or other matters.

>
>Jeff
>
>
>
>
>

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>and free Internet access for a month! Try Juno Web:
><http://dl.www.juno.com/dynoget/tagj>.

S 000776

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Juno e-mail printed Mon, 6 Nov 2000 16:01:37 , page 1

From: Jeff Schmidt <jeff-schmidt@juno.com>
Received: (from jeff-schmidt@juno.com)
by m4.jersey.juno.com (queueemail) id EJPQWQT4; Mon, 23 Aug 1999 05:00:46 EDT
Return-path: jeff-schmidt@juno.com
To: jak@interport.net, lugenbold@juno.com, tfeder@wam.umd.edu
Cc: jeff-schmidt@juno.com
Date: Mon, 23 Aug 1999 05:00:46 EDT
Subject: Naming names
Message-ID: <19990823.050304.14375.0.jeff-schmidt@juno.com>
X-Status: Read
X-Mailer: Juno 1.49

Dear four colleagues who saw my annual review and who Benka wants me to name,

Taking everyone's suggestions into account, my current thinking is to not give Benka any names and to not give him anything in writing. I would give him a verbal report that would include the four responses (below) to his demand. Even though I have removed your name, I won't include your response in my oral report without your approval. So please find it below and let me know if it is ok; modify it if necessary.

As one of you suggested (and as I had decided, too), I would first ask Benka why he wants the names. To him, I think, the problem isn't the out-to-get-you review; it's the fact that I disclosed it and criticized it. If he comes around asking, "Did Jeff talk to you about his performance review?", feel free to say "yes" or "I don't feel comfortable reporting on private conversations" or "I don't feel comfortable reporting on private conversations, but I am familiar with the review and can talk about that." I'd probably be better off if you didn't say who showed you the review, and if you didn't say that you saw any written response to it.

My spoken report to Benka would be something like this:

Following up on your request, I was able to track down four colleagues who saw my annual review either because I showed it to them or because someone else did. They all reacted negatively to your request for their names, so I'm afraid I don't have any names to report. The most I can do is tell you what they told me when I asked for permission to identify them. Would that be of any use to you? [At this point Benka says yes and I read the following responses.]

-
1. Obviously I don't think you should tell Steve whom you discussed your review with. Since he is so harsh with you, it would only impugn those people by association -- why does he want that info? It seems he would use (or at least hold) it against us. So I absolutely don't want him to know I am among those people.

S 000777

I don't know what you should tell him -- just that the person/people involved felt that it would be used against them? Or more simply, they felt uncomfortable with that request?

Maybe you could say something like, "The conversations I had with (some of) my coworkers were private, and they feel it would be an invasion of their privacy

Juno e-mail printed Mon, 6 Nov 2000 16:01:37 , page 2

for me to reveal their names just because they talked with me. I'm sorry I can't reveal anyone's name."

You could add something reassuring, if you can think of anything.. Something to let him know you are not planning or inciting a rebellion among the staff....

2. I don't know what would be the best way to respond to Benka. There is fear of retribution.

You can tell him that I'm appalled by his deviousness, that I consider you to be an extremely supportive and valuable colleague, and that the long-standing morale problem at PT (which obviously did not originate with your appeal becoming known last year) will only get worse if he doesn't improve his attitude. Management's increasingly repressive policies will inevitably have negative consequences.

3. I recommend that you tell Benka nothing other than that, having discussed the matter with people you trust and respect, you have decided to tell him nothing more about any performance-review-related discussions you have had.

I suggest you simply request that he cease harassing you with threats, demands, gag orders, trumped-up allegations, and ad hoc declarations of confidentiality. You could also be kind and offer to send him some easy-to-understand information on such topics as freedom of speech and the right of assembly.

4. I don't think there is any reason you should be required to disclose conversations you might or might not have had with other people in the building. With whom you discuss your business is your business...the demand seems high-handed.

As far as the review's confidentiality is concerned, I believe that it is, but as a restriction on the management, not on you.

Jeff

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S 000778

Juno e-mail printed Mon, 6 Nov 2000 16:08:39 , page 1

From: Toni Feder <tfeder@wam.umd.edu>
Received: from mx2.jersey.juno.com (mx2.jersey.juno.com [209.67.34.54])
by mx4.jersey.juno.com with SMTP id AAA56D8F5AHQ398J
for <jeff-schmidt@juno.com> (sender <tfeder@wam.umd.edu>);
Mon, 23 Aug 1999 21:43:23 -0400 (EST)
Received: from mx2.boston.juno.com (mx2.boston.juno.com [205.231.100.52])
by mx2.jersey.juno.com with SMTP id AAA56D8F5AEVZ78J
for <jeff-schmidt@juno.com> (sender <tfeder@wam.umd.edu>);
Mon, 23 Aug 1999 21:43:23 -0400 (EST)
Received: from wilson.acpub.duke.edu (wilson.acpub.duke.edu [152.3.233.69])
by mx2.boston.juno.com with SMTP id AAA56D8F4A5JXAU2
(sender <tfeder@wam.umd.edu>);
Mon, 23 Aug 1999 21:43:22 -0400 (EST)
Received: from wam.umd.edu (async249-13.async.duke.edu [152.3.249.13])
by wilson.acpub.duke.edu (8.8.5/Duke-4.6.0) with ESMTP id VAA01658;
Mon, 23 Aug 1999 21:43:16 -0400 (EDT)
Return-path: <tfeder@wam.umd.edu>
Reply-To: tfeder@wam.umd.edu
To: Jeff Schmidt <jeff-schmidt@juno.com>
Cc: jak@interport.net, lugenbold@juno.com
Date: Mon, 23 Aug 1999 21:47:11 -0400
Subject: Re: Naming names
Message-ID: <37C1F95A.E7D97018@wam.umd.edu>
References: <19990823.050304.14375.0.jeff-schmidt@juno.com>
X-Status: Replied
X-Mailer: Mozilla 4.04 (Macintosh; I; PPC)

***** Please do not quote from the new content of this note. Some are
embedded in your text. *****

Hi Jeff,

I would feel more comfortable – and think it would be a better strategy – if you would summarize what your colleagues' reactions were to the request that you identify them, rather than read (as you say you would do after he says "yes" he'd like to know their reasons), or even repeat to him modified-verbatim what we each said. Reading identity-edited-out comments is theatrical. I think his request should be played down, not up, and nipped in the bud. I would prefer that (if anything at all) you say each idea once, in your own words, rather than in ours. For example, there is considerable overlap, in particular in the comments by me, Warren and Paul, so I suggest summing these up. Giving him three versions is an invitation for him to continue playing this stupid game of trying to identify your colleagues. In my view, the point to make is simple: it's none of his business. Jean made some different comments, and those may be worth including in whatever you say. (It would be fine with me if you noted that more than one colleague commented that they think of you as a very valuable colleague, and value your contributions to the magazine.) But I prefer the simpler, less theatrical tack of paraphrasing and summing up, rather than "handing him our words."

S 000779

In that vein, my preference would be that you still ask him (if you want to) why he wants to identify the colleagues who know about your review, and then say (something like) they (and I) all feel that it's not appropriate to have to report on private conversations. One person noted that confidentiality is a restriction on management, not on employees.

Juno e-mail printed Mon, 6 Nov 2000 16:08:39 , page 2

end of investigation, let's hope.

-- Toni

Subject: Naming names Date: Mon, 23 Aug 1999 05:00:46 EDT From: Jeff Schmidt <jeff-schmidt@juno.com> To: jak@interport.net, lugenbold@juno.com, tfeder@wam.utmd.edu CC: jeff-schmidt@juno.com

Dear four colleagues who saw my annual review and who Benka wants me to name,

Taking everyone's suggestions into account, my current thinking is to not give Benka any names and to not give him anything in writing. I would give him a verbal report that would include the four responses (below) to his demand. Even though I have removed your name, I won't include your response in my oral report without your approval. So please find it below and let me know if it is ok; modify it if necessary.

As one of you suggested (and as I had decided, too), I would first ask Benka why he wants the names. To him, I think, the problem isn't the out-to-get-you review; it's the fact that I disclosed it and criticized it. [JEFF: SO WHAT DO YOU THINK HIS MOTIVE IS, IF NOT TO SOMEHOW HOLD IT AGAINST YOUR COLLEAGUE-CONFIDANTS?] If he comes around asking, "Did Jeff talk to you about his performance review?", feel free to say "yes" or "I don't feel comfortable reporting on private conversations" or "I don't feel comfortable reporting on private conversations, but I am familiar with the review and can talk about that." I'd probably be better off if you didn't say who showed you the review, and if you didn't say that you saw any written response to it. [IF HE ASKS ME, I PLAN TO SAY I THINK IT'S NONE OF HIS BUSINESS. BUT I DON'T SEE ANYWAY OF HOLDING THAT PARTICULAR DISCUSSION, AND I HOPE HE DOESN'T ASK]

My spoken report to Benka would be something like this:

Following up on your request, I was able to track down four colleagues who saw my annual review either because I showed it to them or because someone else did. They all reacted negatively to your request for their names, so I'm afraid I don't have any names to report. The most I can do is tell you what they told me when I asked for permission to identify them. Would that be of any use to you? [At this point Benka says yes and I read the following responses.]

[AS I WROTE ABOVE, I PREFER YOU PARAPHRASE, RATHER THAN READ MY RESPONSE]

1. Obviously I don't think you should tell Steve whom you discussed your review with. Since he is so harsh with you, it would only impugn those people by association -- why does he want that info? It seems he would use (or at least hold) it against us. So I absolutely don't want him to know I am among those people.

S 000780

I don't know what you should tell him -- just that the person/people involved felt that it would be used against them? Or more simply, they felt uncomfortable with that request?

Maybe you could say something like, "The conversations I had with (some of) my coworkers were private, and they feel it would be an invasion of their privacy"

Juno e-mail printed Mon, 6 Nov 2000 16:08:39 , page 3

for me to reveal their names just because they talked with me. I'm sorry I
can't reveal anyone's name."

You could add something reassuring, if you can think of anything. Something to
let him know you are not planning or inciting a rebellion among the staff....

2. I don't know what would be the best way to respond to Benka. There is
fear of retribution.

You can tell him that I'm appalled by his deviousness, that I consider you to
be an extremely supportive and valuable colleague, and that the long-standing
morale problem at PT (which obviously did not originate with your appeal
becoming known last year) will only get worse if he doesn't improve his
attitude. Management's increasingly repressive policies will inevitably have
negative consequences.

3. I recommend that you tell Benka nothing other than that, having discussed
the matter with people you trust and respect, you have decided to tell him
nothing more about any performance-review-related discussions you have had.

I suggest you simply request that he cease harassing you with threats,
demands, gag orders, trumped-up allegations, and ad hoc declarations of
confidentiality. You could also be kind and offer to send him some
easy-to-understand information on such topics as freedom of speech and the
right of assembly.

4. I don't think there is any reason you should be required to disclose
conversations you might or might not have had with other people in the
building. With whom you discuss your business is your business....the demand
seems high-handed.

[I DO THINK IT'S A GOOD IDEA TO MENTION THE FOLLOWING COMMENT BY WARREN]
As far as the review's confidentiality is concerned, I believe that it is, but
as a restriction on the management, not on you.

Jeff

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S 000781

Juno e-mail printed Mon, 6 Nov 2000 16:13:12 , page 1

From: Toni Feder <tfeder@wam.umd.edu>

Received: from mx2.jersey.juno.com (mx2.jersey.juno.com [209.67.34.54])
by m4.jersey.juno.com with SMTP id AAA56EBYDAWVDSQS
for <jeff-schmidt@juno.com> (sender <tfeder@wam.umd.edu>);
Mon, 23 Aug 1999 22:43:15 -0400 (EST)

Received: from mx5.boston.juno.com (mx5.boston.juno.com [205.231.100.53])
by mx2.jersey.juno.com with SMTP id AAA56EBYDABEBEXCJ
for <jeff-schmidt@juno.com> (sender <tfeder@wam.umd.edu>);
Mon, 23 Aug 1999 22:43:15 -0400 (EST)

Received: from wilson.acpub.duke.edu (wilson.acpub.duke.edu [152.3.233.69])
by mx5.boston.juno.com with SMTP id AAA56EBYDAMGG9P2
(sender <tfeder@wam.umd.edu>);
Mon, 23 Aug 1999 22:43:15 -0400 (EST)

Received: from wam.umd.edu (async249-8.async.duke.edu [152.3.249.8])
by wilson.acpub.duke.edu (8.8.5/Duke-4.6.0) with ESMTP id WAA02639;
Mon, 23 Aug 1999 22:43:11 -0400 (EDT)

Return-path: <tfeder@wam.umd.edu>

Reply-To: tfeder@wam.umd.edu

To: Jeff Schmidt <jeff-schmidt@juno.com>

Cc: lugenbold@juno.com, jak@interport.net

Date: Mon, 23 Aug 1999 22:47:12 -0400

Subject: Re: Naming names

Message-ID: <37C20767.2DBF0F6A@wam.umd.edu>

References: <19990823.050304.14375.0.jeff-schmidt@juno.com>

X-Status: Read

X-Mailer: Mozilla 4.04 (Macintosh; I; PPC)

hi again, jeff,

this is an addendum to my previous e-mail. i'm glad you will summarize rather than read our comments. the reason for writing now is just to offer support--because from your note i realize that you worry he would try to collect data about you from us (i.e. use our names against your, unsuccessfully, i'd bet), whereas i'm thinking he'd use the information to penalize us. irony. well, let's not let him use any of it against any of us.

toni

S 000782

Message to my supervisor in which I express the fear that he will "kill the messenger" (me) for standing up on behalf of staff members for the staff's right to have private conversations about workplace issues

30 August 1999

Steve --

Here are the notes that you requested. They outline the responses that I got when I asked colleagues who saw my annual review for permission to fulfill your request that I report their names to you. As you know, I did not want to give you this written report, but you insisted that I do so. I can only hope that you will use it to address staff concerns and not "kill the messenger."

Four themes were apparent in the responses from my coworkers.

1. They consider me to be a supportive and valuable colleague, and they want you to behave in accord with that view. They note that the long-standing staff morale problems did not originate with my review appeal.
2. Their anxiety was exacerbated by the fact that you were not open about your reasons for wanting their names. (Later, when I asked you specifically why you wanted their names, you refused to answer.) Thus the only thing they imagined coming from your investigation was punishment, of me or of them. They think they would be subject to guilt by association, because you have been so harsh with me.
3. They feel that their conversations were private and that to reveal them would be an invasion of their privacy. They made reference to the First Amendment, the spirit of which they evidently carry with them.
4. They agree with you that annual reviews are confidential, but they see that as a restriction on management, not on them. Thus they feel free to discuss their reviews, and many do. They think it would set a bad precedent if any of us were punished for that.

Please let me know if I can be of further assistance.

Jeff

S 000783

4 February 1998

Hi Graham,

It sounds like you are in a great place; a different world physically and in spirit. News travels far and fast, and so I see that you already know that your coworkers have been treated to a "down under" experience of a very different sort. The description of events that you received was a good one, in my opinion, and shows the skills of a good reporter. I'll give you my report here, because it contains some additional information.

On Thursday 22 January 1998 I met with Charles Harris to ask him to get Stephen Benka off my case. Benka had been pressuring me to stop doing anything that takes up any support staff time at all. I told Harris that support staff can contribute a lot to making the editorial work go well, and that his apparent new policy for support staff work -- that it should give priority to advertising and other revenue-producing work over editorial work -- was bad for the magazine. When Judy was part of the support staff, most of her time was shifted to the Buyers' Guide, which was brought in-house to save money. Now they are shifting more and more of Rita's time to advertising work. And they aren't replacing the lost editorial support. Instead, they are pressuring editorial staff to take on more work. Management philosophy seems to be: Why pay \$15 an hour for clerical work when you can pay \$30? Their real philosophy, of course, is simply to get the editorial staff to do more.

I told Harris that behind all this is the way his salary is structured -- tied to reducing the magazine's budget deficit. To my claim that his salary structure is distorting our priorities, he said that he doesn't always do what is best for his salary. As proof, he pointed out that we usually don't run four feature articles in the magazine. He then quickly changed the subject, realizing, I think, that he has never revealed that his salary is tied to upping our output to four articles per month. By the way, over my objection (and over Bert's indication of support for my objection), they are running four substantial feature articles in the March issue, even though we have no backlog and no additional staff. The other day Harris broke new ground in his privileging of advertising over editorial by bringing his advertising manager to an editorial meeting and letting the needs of advertising set the agenda. They forced the meeting to make a big editorial decision after very little discussion, for the sake of advertising. Warren objected strongly; Gloria called it "bullying."

Harris told me that he is open to hiring more support staff, but that we would have to discuss it first at a staff meeting, possibly the next one. I told him that some of us thought we had already discussed it at length at staff meetings and that the need was clear.

Overall, Harris said that he wasn't inclined to give me much consideration, because of my organizing activity last

S
000788

year. And he mentioned your name here too, Graham, as another unforgivable transgressor. "You tried to get me fired," he said, speaking either about me alone, or about you and me, or about all those involved. I said that isn't true. He said that if I believe that, then I must be very naive. And his attitude indicated that he doesn't think I believe that and that he doesn't want to even consider the possibility that I do. I think he wants to believe that I tried to get him fired, because according to his value system that would give him both the desire and moral right to fire me or drive me out, which now appears to be his agenda.

In pursuit of that agenda, Harris appears to have given Benka license to go after me and maybe all of management's perceived enemies on the staff. Around 6 pm on Wednesday 28 January 1998, I was in my office talking to Toni on the telephone when Benka opened the door and asked rudely and sarcastically if I was talking to one of our authors. I said, "No, I'm talking to a coworker, Toni." He acted as if he already knew that. He stepped further into my office and said that he wanted in on our conversation. I found this shocking, of course, and unprecedented. I switched Toni to the speakerphone and told her that Steve was here and wanted to be in on our conversation. She sounded equally shocked. Benka suggested that she come over to my office, and she said OK. Without saying anything, I walked out of my office and into the open area of desks just outside, and Benka followed. I did this to make room for Toni and to get some physical distance between myself and a former post office employee who was clearly behaving very strangely. Toni arrived quickly.

Benka asked me and Toni what we had been talking about on the telephone. I thought his question was way out of line, but I nevertheless told him: We had been discussing the May 1998 50th anniversary issue of Physics Today. (That is ironic, because every May-issue meeting that Benka has been a part of has been a disaster. Virtually every member of the staff thinks that that issue has been badly mismanaged, and no one thinks that yet another meeting with Benka is the way to generate the ideas that the magazine desperately needs to salvage it.) But after giving that short answer, I said that the important question is why he was trying to barge in on our conversation.

He said that he is forbidding all private conversations between staff members at work. From now on, all conversations between staff members must be open to management supervision, he said. When I asked him why, he referred to the organizing activity that took place last year and said that he doesn't want that to happen again. (He and Harris have no doubt that I played a leading role in that.) This looked like a retaliatory and repressive policy aimed more at me than at the rest of the staff, and so I

asked him whether or not it applies to everyone. He said it does. I didn't believe him (but I didn't say that I didn't believe him), and so I pressed him three or four times to say whether or not he was going to announce the new policy to the rest of the staff. His final statement was that he knows that I want to know that.

Of course, even if the new repressive policy is not formally announced, no one can afford to take a chance on violating it -- especially Toni and me, to whom it was announced formally. (Paul got a semi-formal announcement, as the discussion took place right outside his door, which was open at the time.) News of management's dim view of private conversations has spread throughout the staff by way of -- yes, you guessed it -- private conversations.

Even though Benka's Gestapo-like enforcement of the new policy was very frightening, in the middle of it all Toni managed to point out that we don't have the bi-weekly Q&A meetings anymore. If management wants to know what the staff is concerned about, they can have such meetings rather than monitor our conversations. Benka ignored her. I think Toni's idea is a good one and should be among our arguments and suggestions.

About half an hour before Benka busted up the telephone conversation between Toni and me, he did something that in retrospect was clearly part of the new repression but at the time felt merely strange and creepy. I had stopped by Toni's office to give her a newspaper article that I thought might interest her. It was about the Clinton/Lewinsky affair, which we had discussed earlier in the day. The article was a brief historical survey showing that presidents who cheated on their wives were more likely to lie to the public as well, justifying public interest in this sort of thing. Toni and I discussed the article briefly and then discussed the 50th anniversary issue. During the latter discussion, Benka opened the door to Toni's office, entered the room and asked if he could join in the conversation. This seemed very strange, of course, especially because he did not know what we were talking about. Toni was perfectly polite in spite of Benka's rude entry. She pointed out the article that I had brought by, dutifully restarting our conversation about it from the beginning for Benka. The three of us discussed the issue for a while, during which Toni and I were treated to editor Benka's view that the press should know its place and not try the president. It was an awkward discussion, because I and maybe Toni (she can speak for herself) were not really interested in speaking with Benka. When we finished the discussion, Benka showed no sign of leaving Toni's office. He indicated in a subtle but clear way that he would not leave first. This was not only bizarre, but also had something of an ugly edge to it. Although we had no idea what was going on, Toni and I acted quickly to undo the

situation -- she by immediately announcing that she had work to do, and I by quickly leaving the room. Benka and I then spoke about feature articles for ten minutes or so at his office. That conversation consisted of me detailing for him all the progress I had made on a number of articles. The discussion was pleasant, although not really necessary, and he acted pleased and calm throughout. However, when we finished talking, I walked toward Toni's office, and Benka followed me. He asked if I was going to Toni's office, and I said yes. He asked if he could come along. By that time he had already followed me most of the way to her office. I told him that she and I were in the middle of a conversation that we had started earlier in the day, and that it would take too long to fill him in on all the background. We discussed this briefly, and he finally suggested that neither one of us go to Toni's office. I didn't say anything one way or the other, and he went back to his office. I noticed a box nearby containing copies of the latest issue of the magazine; I took one and went back to my office. Later, when Toni and I spoke on the telephone about the 50th anniversary issue, we began our conversation by trying, without success, to figure out our supervisor's mysterious and disturbing behavior earlier.

Mail Envelope Information

Subject: Follow-up on meeting
Creation Date: 7 Nov 1997 (Fri) 10:36
From: Jeff Schmidt
Created By: ACP.AIP:jschmidt

Recipients	Action	Date & Time
Post Office ACP.AIP	Delivered	7 November 1997
10:43 am		
BRODSKY (Marc Brodsky)	Opened	7 November 1997
11:01 am		
jschmidt CC (Jeff Schmidt)	Opened	7 November 1997
10:40 am		

Domain Post Office	Delivered	Route
ACP.AIP	7 November 1997	10:43 am ACP.AIP

Files	Size	Date & Time
MESSAGE	376	7 November 1997 10:36 am

Options	
Auto Delete:	No
Expiration Date:	None
Notify Recipients:	Yes
Priority:	Normal
Reply Requested:	No
Return Notification::	None

Concealed Subject:	No
Security:	Normal

To Be Delivered:	Immediate
Status Tracking:	Delivered & Opened

S 000837

I showed this ad to AIP CEO Brudsky 5 Nov. 97

THE WALL STREET JOURNAL FRIDAY, APRIL 25, 1997 A1

Reaffirming Affirmative Action

At a time when affirmative action is being widely debated and often misinterpreted, it's important to understand its precise meaning. Affirmative action as it was originally conceived —

Executive Order 11246, signed by President Lyndon Johnson — was not intended to provide preferences on the basis of race. In fact, subsequent interpretation by the Department of Labor explicitly prohibits preferences solely on the basis of race. However, it does acknowledge that a society with a history of deeply rooted exclusionary practices demands proactive policies to create opportunity and to eliminate both conscious and inadvertent discrimination.

Enormous gains have resulted from well-designed affirmative action policies. Consider the engineering field. A quarter of a century ago, African Americans, Latinos and American Indians — then 18 percent of the college-age population and the fastest growing component of the nation — comprised only one percent of the engineering workforce. Whatever forces caused this underrep-



bated more adaptable, more flexible and less resistant to new ideas — essential attributes in the rapidly changing global marketplace.

ating students' qualifications than rigid numerical standards imposed by external agencies or by the courts. Moreover, the nation is well served by universities that have the freedom to create a healthy, richly diverse intellectual

A society with a history of deeply rooted exclusionary

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S 000838

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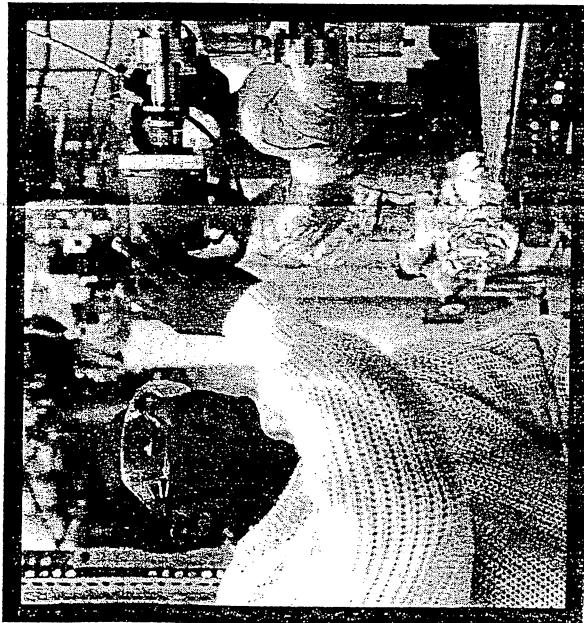
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Group Executive
IBM Corporation

John P. McTague
Vice President
Technical Affairs
Ford Motor Company

Saul K. Fenster
President
New Jersey Institute of Technology



\$ 000839

Received: from bay3-27.dial.umd.edu (bay3-27.dial.umd.edu [128.8.22.155])
by po4.wam.umd.edu (8.9.0.Beta6/8.9.0.Beta3) with SMTP id
AAA06067;
Sun, 7 Jun 1998 00:44:50 -0400 (EDT)
Message-ID: <357A42DD.1C8F@wam.umd.edu>
Date: Sun, 07 Jun 1998 00:35:58 -0700
From: Jeff Schmidt <jeff@wam.umd.edu>
X-Mailer: Mozilla 3.01Gold (Win16; I)
MIME-Version: 1.0
To: Paul J Elliott <lugenbold@juno.com>
CC: jeff@wam.umd.edu
Subject: Re: AA
References: <19980528.120536.4631.0.Lugenbold@juno.com>
Content-Type: text/plain; charset=us-ascii
Content-Transfer-Encoding: 7bit
Status:
X-Mozilla-Status: 0015
Content-Length: 527

Hi Paul,

Thanks for the message about AA and Julian Bond. Even though you sent it a few days ago, I just read it now, because I check my UMD account so infrequently. Yes, Bond is a great speaker, and he has an amazing voice. It is always striking to see how relevant the important national issues are to what's going on at this little 20-person operation known as Physics Today, like you say. I agree with you that it would be good to find some "outside" stuff to quote to Stith, Brodsky, Bert and others.

Jeff

S 000846

From - Fri Oct 24 15:56:57 1997
Received: from circle.greyware.com (circle.greyware.com [207.55.146.50])
by pol.wam.umd.edu (8.8.7/8.8.7) with SMTP id NAA19645;
Thu, 23 Oct 1997 13:17:29 -0400 (EDT)
Received: from CISPPP (unverified [199.174.253.100]) by circle.greyware.com
(EMWAC SMTPRS 0.83) with SMTP id <B0000420142@circle.greyware.com>;
Thu, 23 Oct 1997 12:15:09 -0500
Message-Id: <1.5.4.16.19971023171936.34a7e0a0@sff.net>
X-Sender: gpc@sff.net
X-Mailer: Windows Eudora Light Version 1.5.4 (16)
Mime-Version: 1.0
Content-Type: text/plain; charset="us-ascii"
Date: Thu, 23 Oct 1997 13:19:36 -0400
To: jak@interport.net, jeff@wam.umd.edu, tfeder@wam.umd.edu,
lugenbold@juno.com
From: "Graham P. Collins" <gpc@sff.net>
Subject: A new gag order
X-UIDL: 6166a5442f148e424d2a6c3677da8446
X-Mozilla-Status: 0005
Content-Length: 1292

Those of you who were not present for yesterday's meeting reporting on the advisory committee's oral report will have missed the following interchange:

During the discussion, Harris mentioned the trip he made on Monday to Lane Press to see a demo of Quark Xpress and a math typesetting program. I pointed out (in caustic tones) that no one from PT with experience at setting our equations was included on the trip, but Lewis Holmes and Megan went from CIP.

Today around noon Benka visited me in my office and behind a closed door instructed me firmly that it was "inappropriate" for me to criticise Harris or himself at staff meetings. Such matters were to be raised with them in private. I note that he volunteered that both he and Charles agreed that I had a valid complaint.

I am very upset by this incident and I am mulling over various actions, including resignation.

Jeff, I assume your gag order has not been rescinded? I believe this is a matter that we can and should press with the advisory committee asap in the hope that language might be added to the written report (which is due from them Wednesday next week).

As I indicated to Paul and Jeff yesterday, a post-meeting line of communication between me and Horst is already open.

-- Graham

From - Fri Oct 31 19:19:13 1997
Received: from circle.greyware.com (circle.greyware.com [207.55.146.50])
by pol.wam.umd.edu (8.8.8.Beta2/8.8.7) with SMTP id QAA12201;
Fri, 31 Oct 1997 16:11:52 -0500 (EST)
Received: from CISPPP (unverified [199.174.132.54]) by circle.greyware.com
(EMWAC SMTPRS 0.83) with SMTP id <B0000439119@circle.greyware.com>;
Fri, 31 Oct 1997 15:10:55 -0600
Message-Id: <1.5.4.16.19971031211023.19f7fd5c@sff.net>
X-Sender: gpc@sff.net
X-Mailer: Windows Eudora Light Version 1.5.4 (16)
Mime-Version: 1.0
Content-Type: text/plain; charset="us-ascii"
Date: Fri, 31 Oct 1997 16:10:23 -0500
To: jak@interport.net, jeff@wam.umd.edu, tfeder@wam.umd.edu,
lugenbold@juno.com
From: "Graham P. Collins" <gpc@sff.net>
Subject: subversive meeting?
X-UIDL: 8ee93f0e4f7e8c5e688ccffd97e92783
Status: U
X-Mozilla-Status: 0005
Content-Length: 1610

As some of you already know, I had another marathon conversation with Harris on Wednesday. Among other things, I pressed repeatedly for the gag orders on me and Jeff to be retracted, but Harris hardly budged at all (on that or any other issue. Nor did I). He indicated that "do not criticise" was not what Benka was supposed to say to me, but, surprise surprise, I haven't yet received a retraction or clarification.

In any case it's time for another disruptive behind-closed-doors meeting of our faction of subversive troublemakers to share information, discuss strategy and implications, and vote on Paul's proposal that we kidnap August.

Jeff has suggested Monday afternoon. (I'm in a web meeting at 10 am, and getting a flu shot at 12:30.)

Later it occurred to me that an off-site meeting, such as dinner at a restaurant, might be better, except that would exclude Jean. Mostly I am uncomfortable with how obvious it can be when we have a long on-site meeting. (Last time, just after the meeting, Benka asked me "Where was everyone?") I guess meeting after normal working hours would alleviate that aspect.

At one point in the conversation with Harris he indicated he would meet with the people responsible for the memo to the advisory committee (he knew about it) to discuss all of the issues in it. It has since occurred to me that that would be a way for him to find out precisely who was responsible for the memo. But I think it would be worthwhile to take him up on that, as a way to further argue our cases and maybe press for some concessions.

-- Graham

S 001032

From - Sun Nov 02 07:55:42 1997
Received: from m14.boston.juno.com (m14.boston.juno.com [205.231.101.193])
by po2.wam.umd.edu (8.8.8.Beta2/8.8.7) with ESMTP id PAA06600;
Sat, 1 Nov 1997 15:08:59 -0500 (EST)
Received: (from lugenbold@juno.com)
by m14.boston.juno.com (queueemail) id PpW07790; Sat, 01 Nov 1997 15:04:05 EST
To: gpc@sff.net, tfeder@wam.umd.edu, jak@interport.net, jeff@wam.umd.edu
Subject: Next
Message-ID: <19971101.162627.4631.0.Lugenbold@juno.com>
X-Mailer: Juno 1.38
X-Junno-Line-Breaks: 6-9,14-15,20-21,25-26,32-33,35-36,42-44
From: lugenbold@juno.com (Paul J Elliott)
Date: Sat, 01 Nov 1997 15:04:05 EST
X-UIDL: 03eb72ee07f37ad7d31d0156dcc74842
Status: U
X-Mozilla-Status: 0005
Content-Length: 2329

CH has counterattacked and fought to a draw with Graham, although now, back in his dugout, he may know more, or think he knows more, than he did before dashing out across no-man's-land. He's also revealed that he knows about the memo to the advisory committee, and that he's adamant about keeping the free-speech lid on Jeff. There are also indications that he has made Jeff his leading choice for the dual role of rebel leader and scapegoat.

So now what?

I propose that we wait CH out between now and the November 12 monthly meeting. If he says to any one of us that he wants to discuss the memo issues with the memo writers (as Graham has reported), he should be encouraged to make the subject an agenda item for the meeting (but let Barbara stay for the discussion).

Meanwhile, one of us could propose the subject of free speech as an agenda item for the meeting on the grounds that we need clarification: does the modified version of CH's modest proposal agreed to at the last meeting in fact supersede all other decrees? And citing Irwin's memo would be a means of introducing the unmentionable gag order.

Also, if I see that CH may be receptive, I'll watch for an opportunity to have a brief and private chat with him and offer him some suggestions on how he could resolve the issue smoothly--before the November 12 meeting.

I also suggest that, between now and November 12, we defer pressing CH or any other collective issues, we avoid holding onsite more-than-two-person daytime meetings among ourselves, we do nothing to contribute to Jeff's reputation as a scapegoat., and that if CH or SB presses any of us to discuss privately anything remotely related to the rebels' agenda, we urge them to let the monthly meeting be the forum for it.

Sorry, but is unlikely that I will have time for any offsite, afterhours meetings this coming week.

What to make of this: A few days ago, on leaving my office, SB paused at the door, pointed at the first word on the name plate, and said, "Take

the U out and it's Pal Elliott." Did anyone with a copy of my memo about our not being pals with the managers possibly get a bit careless at PT? Or was it just coincidence? (I'm really not too concerned, in that I'm fully responsible for whatever I do.)

Fred

S 001034

From - Tue Feb 03 21:40:24 1998
Received: from amsterdam.interport.net (amsterdam.interport.net [199.184.165.9])
by pol.wam.umd.edu (8.8.8/8.8.7) with ESMTP id MAA20634;
Tue, 3 Feb 1998 12:18:56 -0500 (EST)
Received: from [207.237.108.177] (usrts5p177.port.net [207.237.108.177])
by amsterdam.interport.net (8.8.5/8.8.5) with SMTP id MAA07279;
Tue, 3 Feb 1998 12:17:40 -0500 (EST)
Date: Tue, 3 Feb 1998 12:17:40 -0500 (EST)
X-Sender: jak@pop.interport.net
Message-Id: <v01530501b0fcbc277458@[207.237.108.177]>
Mime-Version: 1.0
Content-Type: text/plain; charset="us-ascii"
To: jeff@wam.umd.edu, lugenbold@juno.com
From: jak@interport.net (Jean A. Kumagai)
Subject: local circus
Cc: jak@interport.net, tfeder@wam.umd.edu
Status: O
X-Mozilla-Status: 0005
Content-Length: 5396

Paul and Jeff,

Toni had asked me to send this on to you but I forgot. So here it is.

Jean

>X-Authentication-Warning: rac9.wam.umd.edu: tfeder owned process doing -bs
>Date: Sat, 31 Jan 1998 10:45:08 -0500 (EST)
>From: toni feder <tfeder@wam.umd.edu>
>Reply-To: toni feder <tfeder@wam.umd.edu>
>To: graham collins <gpc@sff.net>
>cc: Jean Kumagai <jak@interport.net>
>Subject: local circus
>MIME-Version: 1.0
>
>Jean,
>I don't seem to have PE or JS's off-site, non-AIP email addresses anymore.
>Can you forward this? And give me those addresses? Thanks!
>Toni
>
>
>HI Graham,
>
>Sat urday morning, and I'm at your computer. The reason is threefold:
>one: I got an overdraft notice from my bank yestterday, in which a check
>for \$15 had been erroneously entered by them as \$8015, so I had to go to
>my bank, which is near here. (By the way, using the UMD account from here
>is tedious, so I can't be bothered to correct my typos....)
>two: someone left me a message taht rather than e-mailing me s.t. he had
>faxed it, so I had to pick up my fax.
>three: the pool is near here, so I think I'll soon go swimming.
>
>Thanks for forwarding Speedy's note. I got one from him too, actually
>suggesting something I may want to write about.
>
>\Finally, to the local circus.
>
>characters:

S 001039

>protagonist: SB
>minor characters: JS, TF
>more minor characters: JK, PE
>
>Setting: The office, Wednesday evening
>
>TF was in her office, talking with JK on the phone. JS came by to give TF
>a WSJ article on Monica Lewinsky. Stayed to talk a bit. Through the
>sidelight, TF saw SB. He disappeared for a bit (maybe 30 seconds), and
>then poked his head into TF's office.
>
>SB: What are you talking about? Can I join? If it's about work, I can
>join, can't I?
>
>SB stays to talk about Lewinsky for a bit.
>
>SB: So, how is it going with looking through back issues of PT?
>(Questions directed at TF). And, how are your March articles going?
>(directed at JS)
>JS: They're marching along.
>conversation about the March articles ensues.
>SB: Maybe we should go somewhere else to talk so as not to bother Toni.
>They do.
>
>TF's phone rings. (JK had been on most of the time.) It's JS, from his
>office. He tells what has happened in the meantime:
>
>SB and JS have talked about work. Then, JS headed back to TF's office,
>to continue conversation. SB asked JS if he was going to TF's office, and
>on hearing yes, said he'd join. Instead, JS and SB both went back to their
>own offices....
>
>While JS was recounting these events, SB arrives at JS's office, and over
>the phone, TF hears:
>
>SB: Which one of your authors are you talking to? Is that Key [...] you're
>talking to?
>JS: I'm talking to one of my coworkers.
>SB: Then I should be able to join.
>JS turns on speaker phone, TF identifies herself. SB invites her to come
>down the hall.
>
>Scene 2.
>
>JS, SB & TF meet in the area where Judy and Rita work. PE's office door is
>open, and he is there.
>
>SB blusters along, and the overriding theme is that he wants no closed
>door conversations to take place here. "If you want to go out for a beer
>after work, that's fine," he says. "But if you are at work, then I should
>be able to join in."
>
>JS asks whether this means that SB and CH will no longer have closed-door
>sessions.
>
>SB: "Who is supervising whom?"
>TF: "I feel attacked for something I didn't do."
>JS: "So do I."

>JS: You haven't micromanaged at this level before.
>SB: "Well, you may see more of it."
>
>SB: I haven't seen this in a long time. But now I have....
>
>And so on....
>
>TF's post morten comments:
>
>I wish I'd responded differently, saying simply, that I don't know what's
>going on here, but that anyone should be able to talk to anyone, and
>asking for an explanation. This seems to harlken back to PE's joke that
>no closed door conversations of more than one person can take place...
>It's also like a jealous, paranoid lover, worried about every other man
>(woman) on the planet....
>
>This is the first breech of the staff-wide agreement a few months ago to
>treat each other with respect. In fact, SB has no reason to be paranoid
>now- so it shows the lingering suspicions of the past.... He's entitled to
>them, but shouldn't act on them. And I for one don't want to be treated
>with suspicion, especially now, as my work arrangement changes. Ugh. What
>a buffoon.
>
>So, the encore:
>the next day, things were rosy. SB and TF avoided each other studiously,
>until evening, when SB spoke to TF while she was in the library across from
>his office. No apology. No acknowledgment of the interaction of the day
>before. Just pleasant.
>
>PE wants to talk to CH- and tell his side- what he overheard, that it was
>unacceptable... etc.
>
>Okay Graham, that's all for now. Once a circus, always one, I guess. My
>friend Ed said last night, on hearing this story, that he can't believe we
>get a magazine out. Something to be proud of! Oh, and the other thing is
>that it seems that JS is being excluded from the 50th anniversary
>preparations. This bothers me and Jean because, for one, it means we have
>more work (more years to trawl through). And of course, we don't
>understand why this is the case....
>
>All for now.
>
>Toni

From: Jeff Schmidt
To: RNANNA
Date: Thu, Apr 6, 2000 5:44 AM
Subject: Vacation carryover numbers

Randy --

At our meeting yesterday you agreed with me once again that my 10 November 1999 request to be allowed to either use my "excess" vacation time or carry it over to 2000 was reasonable. You indicated further that last year I was wrongly prevented from using my vacation time (by management's failure to respond to my repeated requests until 10 December 1999).

Logically, then, one would expect you to allow me to carry over the vacation time. However, you said that you would allow me to carry over only half of the vacation time that I lost as a result of your mistake. You described this as a "compromise." I then asked (and have yet to receive a real answer) why I should be forced to suffer half the consequences of your mistake.

I also asked you to be fair -- that is, to treat me in the same way that you treat other employees in the same situation, rather than in a discriminatory fashion. I noted, for example, that you are allowing Paul Elliott to carry over all of his "excess" vacation balance from last year. In fact, Paul is using that vacation time right now. As you know, he submitted his vacation request a week after I submitted mine last November.

I have now checked the numbers, and I found two errors in your calculation. First, according to the numbers on my 15 January 2000 earnings statement, the amount of "excess" vacation time at the end of 1999 was 186.61 hours, not twenty 7.5-hour days as I think you assumed.

Second, the amount of vacation time that I was automatically allowed to carry over was abruptly lowered, without any advance warning to me, to 175 hours from 262.5 hours the previous year. I didn't discover this change until I saw my earnings statement of 15 January 2000 -- obviously too late to do anything about it. Evidently, at some point near the end of September 1999, the portion of my vacation balance that I needed to use (or lose) by the end of the year was suddenly increased without my knowledge. The fact that I wasn't told about this deprived me of the knowledge that I needed to use (or lose) a lot more vacation time than I had thought. Because this occurred so late in the year (what if it had occurred on, say, 20 December?), and because it wasn't explained to me, I ask you to please readjust the automatic carryover back to what it was the previous year.

If you did that, then my "excess" vacation balance would be 99.11 hours.

I ask that you please make these corrections.

Jeff

CC: TBRAUN, JSCHMIDT

S 001188

Mail Envelope Properties (38EC5C87.69D : 20 : 27099)**Subject:** Vacation carryover numbers**Creation Date:** Thu, Apr 6, 2000 5:44 AM**From:** Jeff Schmidt**Created By:** ACP.AIP:jschmidt**Recipients**

	Action	Date & Time
Post Office ACP.AIP	Delivered	04/06 5:43 AM
JSCHMIDT CC (Jeff Schmidt)	Opened	04/06 5:44 AM
RNANNA (Randy Nanna)	Opened	04/06 9:23 AM
TBRAUN CC (Terri Braun)	Opened	04/06 12:54 PM

Domain.Post Office

	Delivered	Route
ACP.AIP	04/06 5:43 AM	ACP.AIP

Files

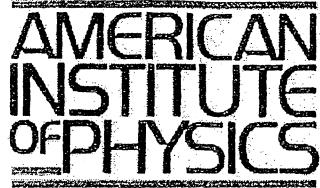
	Size	Date & Time
MESSAGE	2510	Thursday, April 6, 2000 5:44 AM

Options

Auto Delete:	No
Expiration Date:	None
Notify Recipients:	Yes
Priority:	Standard
Reply Requested:	No
Return Notification:	None

Concealed Subject: No**Security:** Standard**To Be Delivered:** Immediate**Status Tracking:** Delivered & Opened

S 001189

**INTER-OFFICE MEMORANDUM**

TO: Jeff Schmidt
FROM: James H. Stith **EXTENSION:** 3126
DATE: June 24, 1998 *WS*
SUBJECT: Performance Review 1998

As requested in your memorandum of 27 April 1998, I have completed my investigation of the issues surrounding your 1998 performance review.

While issues that have impact upon the climate within **Physics Today** were uncovered, I did not find sufficient reasons to justify a change in your 1998 performance review.

I trust that you and the management of **Physics Today** will be able to delineate clearly the goals, level of performance and criteria for evaluation that will determine the basis for your 1999 review. Once this is accomplished, I anticipate a return to a level of performance and an evaluation that both you and management find satisfactory.

Cc: Theresa Braun
Steve Benka
Charles Harris

S 001192

Jeff,

We welcome constructive and productive contributions from you, but behavior by you that we consider destructive and counterproductive will no longer be tolerated. Your continued interruption at our retreat, after you were instructed to hold your questions and comments until the discussion segment of the agenda, is an example of what we mean. The continuation of such behavior on your part, in the office or at any work-related activity, will not be tolerated.

This notice is to be treated as confidential.

cel
9/24/97

1 Oct. 97

Hi Jean —

They've put the squelch
on me. Harris and Benka
delivered it in person. — on 1 Oct. 97

J

S 001518

From: Graham Collins
To: JBARKER, CDAY, PELLiot, SFUNK, apsdpost.GOODWIN, W...
Date: 24 Oct 1997 (Fri) 18:45
Subject: My coming silence

If you notice that I no longer say very much during staff meetings, it is because I have been firmly instructed not to criticise Steve Benka or Charles Harris during staff meetings. I am only permitted to criticise them in private discussions with them.

Since this instruction was conveyed to me because I made a truthful statement of fact at our 11 a.m. meeting on Wednesday (namely, that Charles, Lewis and Megan went to Lane Press, but Elliot, Rita and I did not, and Elliot, Rita and I have the most experience setting equations for PT), I have to interpret "criticise" very broadly. Consequently there will be very little for me to say at meetings.

-- Graham

PS: My absence on Monday will be because I have a vacation day scheduled.

From: Charles Harris, Steve Benka (Charles Harris) (Charles Harris)
To: JSCHMIDT
Date: 2 Dec 1997 (Tue) 12:30
Subject: rescindment

As agreed in the last staff meeting, our mutual acceptance of a code of behavior supersedes any outstanding verbal or written reprimand to you or any member of the staff for any perceived violation of this code. Onward and upward!

S 001523

From: Stephen Benka
To: Jeff Schmidt
Date: 8/19/99 7:09pm
Subject: First thoughts on your response to the review

Jeff,

Because you didn't have time to discuss your response to your review when you gave it to me, here are my initial thoughts on the inaccuracies that you perceive. Let's discuss this further as soon as possible.

Your example #1: You neglected to mention that, initially, you had wanted to count Goldstein as one long article, not two. However, because you had completed Goldstein within the previous review cycle, and because you were two full articles short of your already reduced (because of your cancelled maternity leave) production goal for last year, we counted them as two and included them in that cycle. This ensured that you would receive an "acceptable" rating, which was clearly in your best interest.

Each editor who worked on decadal excerpts for the anniversary issue did the equivalent of one full article's work in his or her decade. There would be no reason to count yours otherwise, except that your work on your decade had to be largely redone by someone else.

As of today, to my knowledge, the Will article is not yet completed. If it were, I would count it as an article completed within this review period.

Your example #2: You are right that I should have discussed the change of weights with you. I apologize for not having done so. Let's discuss and agree on your job description as soon as possible.

Your example #3: My description is accurate.

Your example #4: Your appeal to Charles Harris, Theresa Braun, and James Stith was the proper procedure to follow. However, as we discussed earlier today (and at other times), your surreptitious circulation of your response to the staff was entirely inappropriate.

I still would like you to tell me which member or members of the staff you have discussed this year's review with.

-Steve

Salary equity

I worked with other staff members to demand pay equity at Physics Today. On behalf of those of us who were pushing for this, I told the Physics Today advisory committee at their 4 October 1996 meeting that the large salary differentials among the staff were not only unfair, but also divisive and bad for morale and productivity. I raised the issue at various staff meetings as well. Management was not pleased by the pressure we applied, in part because it forced them to give a staff member (name withheld) a special 25% salary increase, beginning on 1 June 1997.

Affirmative action

Management's anger at me increased dramatically, and never subsided, when I worked with Jean Kumagai and other staff members (names withheld) to assert the need for equal opportunity and affirmative action in hiring at Physics Today. We raised the issue when Ray Ladbury left the magazine, creating an opening on the editorial staff. (His replacement, Charles Day, started work on 2 June 1997.) I spoke out strongly on the equal opportunity and affirmative action issue, because Jean and I and the others didn't think Physics Today or AIP management took it seriously. Our concerns were largely ignored, and so, later in the year, we decided to bring the problem to the attention of the Physics Today advisory committee at its annual meeting, held 17 October 1997. On behalf of the concerned staff members (names withheld), I brought the matter to the committee's attention.

One week later, on 24 October 1997, American Institute of Physics Executive Director/CEO Marc Brodsky called me and said that I had made "a very, very serious charge." (Detailed notes available.) He directed me to meet with him and defend my charge, and I did so on 5 November 1997. At that meeting I gave Brodsky a note summarizing the important points. Rather than repeat those points here, I am attaching a copy of the note. (See note of 5 November 1997.) That note is an important part of this appeal about my performance review, and so I ask that you read it.

At my meeting with Brodsky I also pointed out that AIP had failed to conduct the affirmative action training that it promised to conduct in its 284-page "1996 Affirmative Action Program for American Institute of Physics." (See attached excerpts.) Among the many promises that AIP makes in that 1996 document is that "During the current plan year we will be conducting training for all employees about our affirmative action program and equal employment opportunity in the workplace." I pointed out to Brodsky that AIP did not conduct the promised training. He countered by saying that he was pretty sure that he mentioned affirmative action either at the one-hour question-and-answer session that he

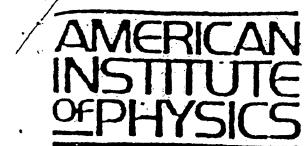
held on 20 June 1996 or at the Q&A meeting that he conducted for employees at AIP's facility in Woodbury, New York. (I recall no such mention at the 20 June 1996 College Park meeting.) He indicated that this mention was the promised affirmative action "training."

Brodsky said he would look into affirmative action at Physics Today and tell me what he found. After a 4.5-month investigation, he met with me on 20 March 1998 and reported that he found that Physics Today's affirmative action program was doing very well. He said he judges the program by its results. (This was mysterious, because as of 20 March 1998, the Physics Today staff in the College Park office was all white; out of a staff of 18, the magazine had only one minority employee, working from New York.) I asked again about the promised affirmative action training. This time he said he was sure that he had mentioned affirmative action at both 1996 Q&A meetings, and he again indicated that such mention was the promised affirmative action training. After extensive questioning, he said that such mention was "part of" the promised training. I asked him when the rest of the training would be done, and he promised to look into that. In the end, I told Brodsky that we still believe our concerns to be well founded and that we are disappointed with his response. Apparently in Brodsky's view, however, the upshot of what happened is that I leveled serious, totally unfounded charges at AIP, and he is not happy about that.

1997 retreat

Management's anger at me increased yet again (and has not decreased since) when I helped raise staff concerns before and during the 25 September 1997 one-day Physics Today retreat. Before that meeting, I played a leading role in producing a list of proposed agenda items that represented a few of the many staff concerns. A majority of the staff supported it, and half of the staff signed it. (See attached e-mail message of 18 September 1997.) The top item on that list was a request for greater staff participation in decision making. The days leading up to the meeting saw much debate between management and many staff members over the meeting agenda, which management was formulating. Harris became upset that the staff wasn't embracing his agenda, and he began treating me and my coworker Graham Collins as ringleaders on the staff side, apparently becoming permanently angry at us.

At the retreat itself I asked if staff members could ask questions. Harris said no. I then said that I thought that we should be allowed to ask questions. Harris angrily said "No, That's an order!" Some days after the meeting he explained that he thought my request for the right to ask questions was another attempt to promote the staff agenda. At the retreat and in subsequent weeks, a number of brave



One Physics Ellipse
College Park, MD 20740-3843

Tel. 301-209-3100
Fax 301-209-0843

1996 AFFIRMATIVE ACTION PROGRAM

FOR AMERICAN INSTITUTE OF PHYSICS

Program completed by:

A handwritten signature in black ink that reads "Theresa L. Braun".

Theresa Braun
Director of Human Resources and
EEO Coordinator

Address:

One Physics Ellipse
College Park, MD 20740-3843

Program approved by:

A handwritten signature in black ink that reads "Marc H. Brodsky".

Marc H. Brodsky
Executive Director/CEO

This Affirmative Action Program is effective from January 1, 1996 to December 31, 1996.

Member Societies:

The American Physical Society
Optical Society of America
Acoustical Society of America
The Society of Rheology
American Association of
Physics Teachers
American Crystallographic
Association
American Astronomical Society
American Association of
Physicists in Medicine
American Vacuum Society
American Geophysical Union

S 002093



INTER-OFFICE MEMORANDUM

July 11, 1996

TO: Theresa C. Braun
FROM: Melinda Underwood *MU*
SUBJECT: Affirmative Action--1995

Below are the areas in which AIP had underutilization in 1995:

Senior Managers	Female and Minority Underutilization
Senior Professionals	Female Underutilization
Other Professionals	Minority Underutilization

Let me know if you want to develop a narrative discussion of goals for the Affirmative Action Plan for 1996-1997.

S 002094

The American Institute of Physics--Discussion of Goals (1995)

After analyzing our Affirmative Action plan and looking at the utilization analysis, it has come to the attention of the American Institute of Physics (AIP) that underutilization of minorities and females exist in the following job group:

Senior Managers (101) Female and Minority

Sr. Professionals (201) Female

Other Professionals (202) Minority

The American Institute of Physics has been and will continue to be an equal opportunity employer. Our goals for increasing utilization of the above groups will include:

- ▶ Broadening the scope of our recruiting efforts. This will include expanding our recruiting outlets and resources such as utilizing the Internet, Department of Labor, and community resources for job postings.
- ▶ Exploring diversity training and continue to monitor hiring process. AIP is looking into offering diversity training for hiring managers and supervisors.
- ▶ Examining and identifying internal candidates for open positions and career development. This will include continuing cross job training, development of skills, and promotion of existing tuition reimbursement program.

RESPONSIBILITY FOR IMPLEMENTATIONA. Executive Management Responsibility

As the representative of executive management, the EEO Coordinator has primary responsibility and accountability for implementing, directing and monitoring this Affirmative Action Plan.

1. Implementing the affirmative action programs set forth in this Plan, including the development of policy statements and related internal and external communication procedures to disseminate those policy statements.
2. Developing and supervising the presentation of our equal employment opportunity policy during the supervisory training and new employee orientation programs, which may include question-and-answer sessions for supervisors and employees answering their questions about this Affirmative Action Plan.
3. Designing and implementing an audit and reporting system that will accomplish the following:
 - (i) Measure the effectiveness of our affirmative action programs.
 - (ii) Indicate when remedial action is needed.
 - (iii) Determine the degree to which our goals and objectives have been attained.
4. Advising management and supervisory personnel on developments in the laws and regulations governing equal employment opportunity.
5. Serving as liaison between the Company and all enforcement agencies.
6. Identifying problem areas and establishing goals and objectives to remedy underutilization in major job groups, if any underutilization exists.
7. Conferring with community organizations representing women, minorities, veterans, the disabled and older workers.

8. Auditing periodically our on-the-job training, hiring and promotion patterns to remove impediments to attainment of the Company's goals and objectives.
9. Rating supervisory employees based, in part, upon their efforts and success in furthering the goal of equal employment opportunity, and informing supervisory employees of this evaluation practice.
10. Discussing periodically the Company's commitment to equal employment opportunity with managers, supervisors, and employees. During these discussions, the EEO Coordinator will stress the importance of affirmative action, as well as nondiscrimination.
11. Reviewing the qualifications of all employees to insure that minorities and women are given full opportunities for transfers, promotions and training.
12. Providing access to career counseling for all employees.
13. Conducting periodic audits to ensure that the Company is in compliance with federal and state laws and regulations requiring:
 - (i) Proper display of posters explaining the Company's obligation to engage in nondiscriminatory employment practices.
 - (ii) Integration of all facilities which we maintain for the use and benefit of our employees.
 - (iii) Maintenance of comparable facilities, including locker rooms and rest rooms, for employees of both sexes.
 - (iv) Providing full opportunity for advancement and encouraging minority and female employees to participate in educational, training, recreational and social activities sponsored by the Company.
14. Counseling supervisors and managers to take actions necessary to prevent harassment of employees placed through affirmative action efforts and to eliminate the cause of such complaints. Further, the EEO Coordinator will

counsel supervisors and managers not to tolerate discriminatory treatment of any employee by another employee or supervisor and to report all complaints or incidents to him.

15. Establishing an internal complaint system that will enable employees to discuss complaints with the EEO Coordinator whenever they feel that they are being discriminated against on the basis of race, color, religion, sex, national origin, disability or veterans' status.
16. Serving as liaison between the Company and community organizations representing minorities, women, veterans, the disabled and older workers.
17. Developing expertise and knowledge of equal employment opportunity guidelines and regulations in order to advise and update top management and supervisory personnel concerning developments affecting our equal employment opportunity program.

B. The Responsibilities of Supervisors and Managers

All supervisors and managers must share in the day to day responsibility for implementing the affirmative action programs set forth in this plan. Specifically, they must endeavor to:

1. Respond to inquiries about our Affirmative Action and Equal Employment Policy, after consulting with our EEO Coordinator.
2. Assist our EEO Coordinator during the investigation of allegations of discrimination.
3. Participate in recruitment and accommodation efforts designed to enable disabled individuals, disabled veterans and others to secure employment and to advance to positions for which they are qualified.
4. Ensure that all federal and state posters explaining the laws prohibiting discrimination are properly displayed.
5. Participate in the development and implementation of affirmative action programs.

DISSEMINATION OF EQUAL EMPLOYMENT POLICY

I. Internal Dissemination

The Company will take the following actions to disseminate its Affirmative Action and Equal Employment Policy, as appropriate, on a regular and continuing basis.

A. Including the Affirmative Action and Equal Employment Opportunity Policy statement in its policy manual and employee handbook, as published. A copy of our EEO Policy, which is contained in our Employee Handbook, is attached at the end of this section.

B. Meeting with supervisory personnel to explain the intent of the Affirmative Action and Equal Employment Policy and their individual responsibilities for its implementation. We conducted supervisory training for all management about equal employment opportunity, affirmative action and sexual harassment during Plan Year 1995 and have continued the training into Plan Year 1996. We have attached information relating to our supervisory training at the end of this section.

C. Scheduling special meetings with employees or using Company newsletters to discuss and explain individual employee responsibilities or opportunities under the affirmation action program. During the current plan year we will be conducting

training for all employees about our affirmative action program and equal employment opportunity in the workplace.

D. Discussing our equal employment policy during any orientation programs we hold, at which time all new employees (and if applicable, transferred and promoted employees) will be advised of our commitment to affirmative action and equal employment opportunity. Our Affirmative Action and Equal Employment Opportunity Policy statement and policy statements affirmatively supporting the employment of minorities, veterans, the disabled and women will be explained during these sessions. During these orientation sessions a management representative from various areas of the Company, including Human Resources, explains the function of their department. Our Affirmative Action and Equal Employment Opportunity Policy statement and policy statements affirmatively supporting the employment of minorities, veterans, the disabled and women are explained during these sessions. We have attached at the end of this section an "Overview of New Employee Orientation Process", which includes a copy of our "New Employee Checklist," and addresses equal employment opportunity and affirmative action in the workplace.

E. Posting the Affirmative Action and Equal Employment Policy, along with all required State and federal informational posters, on our bulletin boards, and updating such posters as required. Our "Affirmative Action and Equal Employment Opportunity Policy Statement", "Invitation to Vietnam Era and

IDENTIFICATION OF PROBLEM AREAS (DEFICIENCIES)
BY ORGANIZATIONAL UNIT AND BY JOB GROUP

I. UNDERUTILIZATION

The EEO Coordinator conducted a Utilization Analysis for the 1996 Plan Year in which she compared the workforce representation of minorities and females to their statistical availability by job group. The Utilization Analysis led the Company to identify the following areas of underutilization:

Females are statistically underutilized in job groups 101 (Senior Managers) and 201 (Senior Professionals).

Minorities are statistically underutilized in Job Group 202 (Other Professionals Technicians).

The Company is addressing these potential problem areas by establishing goals which we will attempt to achieve through specific action oriented programs, which are described in the section of this plan entitled "Action Oriented Programs." Our Utilization Analysis and Goals are contained behind the tabs, so named, in this affirmative action plan.

II. ADVERSE IMPACT

To determine if our selection procedures have an adverse impact upon minorities and females during the first six months of our 1996 Plan Year, we conducted an adverse impact analysis upon our selection decisions. We compared the selection ratios of minorities and females to those of non-minorities and males, respectively, in the areas of hiring, promotion and termination. Through this analysis we discovered no areas for this time period of statistically significant adverse impact.

As a result of our adverse impact analysis, we examined each of the selection decisions that occurred in job groups where adverse impact was discovered as described in the Action Oriented Programs section of our plan. Furthermore, a full impact ratio analysis of our selection decisions and a narrative discussion of the legitimate business reasons supporting our decisions is found behind the "Jaar Analysis, Impact Ratio Analysis and Placement Analysis" tab.

III. IN GENERAL

In addition to the above, the EEO Coordinator will, on an annual basis, as applicable, identify potential problem areas in the total employment process, which may include review of the following areas:

- A. Composition of the workforce by minority group status and sex.

- B. Composition of applicant flow by minority group status and sex.
- C. Overall employee selection process including position specifications, application forms, interviewing procedures, test administration, test validity, referral procedures, final selection process, and other employee selection procedures.
- D. New hires, promotions, terminations, etc.
- E. Utilization of training, recreation and social events and other programs that are sponsored by the Company.
- F. Technical phases of compliance with laws prohibiting discrimination in employment and promoting affirmative action programs, e.g., retention of applications, notifications to subcontractors, etc.
- G. "Underutilization" of minorities or women in specific job groups.
- H. Lateral or vertical movement of minority or female employees occurring at a lesser rate than that of non-minority or male employees.
- I. The selection process eliminating a significantly higher percentage of minorities or women than non-minorities or men.
- J. Application and other preemployment evaluation forms or procedures not in compliance with federal or state law.
- K. Position descriptions inaccurate in relation to actual functions and duties of that particular job.
- L. De facto segregation, by race or sex, existing in job titles or job groups.
- M. Seniority provisions contributing to overt or inadvertent discrimination by minority group status or sex.
- N. Non-support of our affirmative action and equal employment programs and policies by managers, supervisors or employees.
- O. Minorities or women significantly underrepresented in training or career improvement programs.
- P. Lack of formal techniques for evaluating effectiveness of the programs set forth in this Plan.

27 April 1998

To: Theresa Braun, Director of Human Resources, and James Stith, Director of Physics Programs, American Institute of Physics

From: Jeff Schmidt, Senior Associate Editor, Physics Today

Subject: My 1998 performance review

I am writing to ask that my 1998 performance review be redone. Physics Today editor Stephen Benka wrote the review under the direction of Physics Today publisher Charles Harris. I discussed the review with Benka, who, after consulting with Harris, refused to make any of the revisions that I requested. Therefore I am appealing to you to produce a new review.

The review was not conducted in accord with American Institute of Physics policy or procedures, and the result is not a fair assessment of my work as a feature articles editor at AIP's Physics Today magazine. I am asking you to produce a new review not just in the interest of accuracy, but also as a necessary affirmation that in the future the American Institute of Physics will treat its employees fairly.

The review lowers my performance rating from last year's "4" ("Exceeds Job Requirements") to a "3" ("Meets Job Requirements") even though this year I did more work and more innovative work. Producing feature articles for the monthly magazine is a team effort, and I think that the many staff members with whom I work will testify that my work is better than average.

The biased review that I received is punishment for my organizing activity at the magazine. It is one of a number of recent reprisals for -- and moves to stop -- such activity, in which I have played a leading role in the interest of both the magazine's staff and the physics community. The central retaliatory feature of the review is that it makes what it admits are "new demands," which amount to a sharp increase in my workload.

I have had 17 performance reviews since I began working at Physics Today in March 1981, but until now I have never needed to write a response to one. This time, however, not only is the review inaccurate, but my supervisor, editor Benka, presented it to me with the attitude that performance reviews at AIP are not done with employees, but are done to them. This violates both the letter and the spirit of AIP policy. He acted as if he were not permitted to change the review in any significant way, and so his discussion of its contents was only pro forma.

In this memo I will first describe some of the ways in which the review is inaccurate, and then I will explain how

it is a reprisal for my organizing activity and part of a series of recent attempts to stop me from engaging in any further collective activity at the magazine.

Review inaccurate

I will go over every sentence of the performance review and show how the review plays down or completely leaves out my accomplishments while contriving deficiencies and playing them up. The review has four sections: three sections focusing on my major areas of work responsibility and one section of additional comments.

Article editing

Concerning my article editing work, the review states that "Jeff's articles are generally ready on time and are often early." This plays down my accomplishments and does so deliberately, because management keeps records of deadlines and work-completion dates and is fully aware of what I have done in this regard. The words "generally ready on time" must be changed, because my articles were always ready on time and never delayed an issue of the magazine. And the words "often early" must also be changed, because my articles were almost always early and were often very early.

This is not to say that management can reasonably hold me responsible for the final completion dates of the articles that I work on. They cannot, because the publication process depends upon the work of the magazine's editor and many coworkers, over whom I have no authority. What my review should note is that I always did my part as fast or faster than can reasonably be expected, and certainly much faster than average. At one point during the year, for example, I had two feature articles ready to go to the printer more than a month before the deadline (discussed further in the following two paragraphs). As far as anyone can remember, this had never been accomplished before at Physics Today. My articles came close to the deadline only when the editor failed to meet his deadline for obtaining the articles and giving them to me to edit. I ask that you rewrite this part of my performance review and increase the numerical rating to reflect the resulting more accurate appraisal. I am asking you to do this not just to make my review more accurate, but also to assert that it is not AIP policy to begrudge an employee praise when it is due, even if AIP has a grudge against that employee.

On the issue of deadlines, I would like AIP to use its own performance as the standard for comparison. AIP gave me my performance review more than five weeks late, missing its mid-February deadline and then not even completing the review by the middle of the following month. Benka dated my review 12 March, signed it on 23 March and gave it to me on 24 March.

One big reason that I did more work this year than last year was because management stated that it wanted the magazine to have a backlog of feature articles that were edited and completely ready to be sent to the printer. I supported this goal and produced such articles, but this unprecedented accomplishment is not mentioned in my performance review. Management is fully aware of my accomplishment, as evidenced by the fact that they praised it at a staff meeting.

Working way ahead of the deadline has the potential advantage of avoiding some major inefficiencies (described in the following paragraph), but doing so turned out to involve extra work, because although management asked for and praised the result, they did not support the effort while it was underway. It was left to me to bring about the changes in the workplace necessary to work ahead. The editor consistently maintained a crisis mentality, always giving priority to work for the next issue -- which he always worried would be late -- over work for future issues. Because the work of most employees on a forthcoming issue doesn't end until around the time that the issue goes to press, the editor, with his crisis priorities, never deemed it reasonable to work on later issues. I was able to accomplish management's goal of completing work ahead of schedule only by working directly with the staff team that actually does the work (Rita Wehrenberg, editorial assistance; Paul Elliott, copy editing; Elliot Plotkin, art work; Judy Barker, proof reading; Carol Lucas, photo permissions), and carefully avoiding coming to the overly insecure editor with questions of work priority. I ask you to add this accomplishment to my performance review and raise the numerical rating to reflect the resulting less biased appraisal. I ask you to do this not only to make my performance review more accurate, but also as a way of saying that AIP does not condone biased appraisals of employees.

Another big reason I did more work this year was the inefficiency caused by the magazine's periodic exhaustion of its supply of feature article manuscripts that are ready to edit for publication. It is Benka's responsibility to obtain articles for the magazine. The shortage of articles resulted in a very uneven work flow and forced me to edit some articles close to the deadline, which often meant editing in parallel with the author's making revisions. It is easy for the editor to say "just work in parallel," but such work often necessitates reediting material that the author changes and discarding edited material that the author removes, and a host of other problems. The shortage of articles led me to write to the editor in the middle of the year asking for more work. (See attached memo of 18 August 1997.)

The numbers given in the performance review are all wrong. The review says that this year I "was asked to produce 16-18 articles." In fact, the agreed upon rate was initially 16 per year, not "16-18," the precise meaning of which is not at all clear since there presumably is no upper limit. Benka and I later in the year agreed to reduce the annual rate to 14 and increase the amount of work that I do in areas other than editing, yet the number "14" never appears in my performance review. I ask you to correct this.

As far as the article editing part of my job goes, my production rate is supposed to be measured by the number of articles published in the magazine in the issues March 1997 through February 1998, as is written at the top of the review form. During that year I edited 13 articles (Mahan, Ferguson, Crabtree, Crowley, North, Parsegian/Austin, Harris, Soulen, Libicki, Perl, Ross, Riordan, Mourou), one of which (the Parsegian and Austin combination article) should count as more than one because making it happen involved a lot of extra work. (More about that article below.) Although this is less than the agreed upon goal, it should be deemed acceptable because of the shortage of articles (AIP should not hold employees responsible for doing work that is not available to do) and because of the extra work caused by that shortage and by management's lack of support for working ahead. Please correct the accounting in this part of the review.

The review gives an incorrect reason (a personal reason) for the mid-year change in my job description. The reduction in my article editing goal from 16 to 14, and the corresponding increase in my work following up with authors on articles that have been solicited, was prompted by the magazine's shortage of articles. On 18 August 1997 I gave Benka a note (attached) asking for more articles to edit. On 19 August 1997 he answered with a very defensive note (attached) blaming me in part for the magazine's shortage of articles and at the same time denying that there was any such shortage. He claimed that I was in part to blame, because following up on solicited articles was part of my job. On the same day (19 August 1997) Benka secretly altered my job description, adding truth to his claim that solicitation follow-up was a significant part of my job. When I discovered the change, he and I discussed it and I agreed to make solicitation follow-up a bigger part of my job. I asked him to write me a note saying that my job description had been changed (see 25 August 1997 note from Benka, attached).

The change in my job description, while made official in the middle of the year, should be considered retroactive to the beginning of the year, because the problem it addressed was long-standing and I had long before addressed it on my own: The shortage of articles to edit had already

led me to shift some of my work from editing to solicitation follow-up. Solicitation follow-up is an area in which I make valuable contributions to the magazine. This often time-consuming work includes giving feedback to authors and working closely with them to develop greatly improved articles for the magazine.

Finally, on 2 September 1997 I gave Benka a note (attached) explaining that solicitation follow-up was not the weak link in the magazine's feature article operation. That note, the contents of which Benka never disputed, is an important part of this appeal about my performance review, and as such, I ask you to read it. Please remove from my performance review the incorrect reason given for the change in my job description, and add a statement concerning the magazine's shortage of articles, because it played a crucial role in my work last year.

My work on the Parsegian/Austin combination article is one of many examples of how my performance review leaves out major contributions that I have made to the magazine (while carefully including minor, largely contrived, deficiencies). Physics Today was planning to publish in its July 1997 issue a manuscript by V. Adrian Parsegian of the National Institutes of Health, but the article received a highly negative appraisal from the magazine's external reviewer, Robert H. Austin of Princeton University. This caused a crisis, because the magazine had no article to substitute -- having completely run out of articles -- and because there was no time for Parsegian to make the extensive revisions that were called for by the reviewer.

Based on the nature of Parsegian's article, the nature of Austin's review and my confidence in the critical abilities of the magazine's readers, I suggested a solution: Publish the article and the review. This was unprecedented at Physics Today, but the editor followed my advice, in part because no other solution was apparent. I edited the combination article and review and handled the delicate and protracted negotiations between Parsegian and Austin, who did not trust each other. The solution was innovative, the result was outstanding and the magazine survived a crisis without damage. In fact, the result was better than it would have been had there been no crisis, because the crisis allowed the magazine to break with tradition. Yet the managers, who seem this year to have developed photographic memories for negative things (real or contrived), have completely forgotten about my special contribution to the magazine during the Parsegian crisis. I ask that my work on the Parsegian/Austin article be described on my annual review, as an example of my valuable advice and above-average work. And I ask that my numerical rating be raised to reflect the new, unbiased text.

You might think it strange that even though the review states that I edited enough articles during the year, it

lists the names of some articles that I didn't edit -- articles that were never assigned to me and that I was not expected to edit. That list appears on my performance review as a defensive measure by the editor -- to bolster his claim that under his editorship the magazine does not experience shortages of articles. Soliciting a sufficient number of articles for the magazine is the editor's job, and so the appropriate home for arguments that he has succeeded is the "Employee's Comments" section of his own performance review. Please remove the sentence and its negative connotation from my performance review. (For a discussion of how the list is not even what it claims to be, see the fourth paragraph of my memo of 2 September 1997.) Such lists do not appear on the performance reviews of other employees. The performance reviews of Physics Today news writers, for example, do not contain lists of the countless news stories that they could have written but didn't.

The review lists three articles that I edited (Perl, Crabtree/Nelson, Mourou) and claims that the quality of my work varied. In fact, because of my own standards I do a quality job on everything I do. There is, of course, no objective measure of the quality of editorial work. Articles are inherently different and hold a different appeal to different readers. In my performance review the editor implies that praise from authors is one measure, but he fails to note that we received praise from the authors of all three articles. Martin Perl, winner of the 1995 Nobel Prize in Physics, wrote to me and said "Thank you for changing my ugly duckling of a manuscript into a beautiful swan. You have done a wonderful job." I have attached a copy of his note along with a note from George Crabtree of Argonne National Laboratory praising our efficiency, competence and high production standards; Mourou delivered his praise in a telephone call.

It is true that the changes that Benka mentions making in the Mourou article were improvements that other staff members or the author might not have made at one of the later stages in the processing of the article. However, it is wrong to use this as the sole factor in judging the quality of work on the entire article, which would have been excellent even without Benka's improvements. And it is even more wrong to use it to judge an employee's entire year of work. Stephen Benka knows this. He knows, for example, that AIP management will not judge all of his excellent work on the Mourou article solely by the fact that he tried to introduce a mistake in the article's opening paragraph -- where he crossed out "30 angstroms" and wrote in "300 nm" and had to be corrected by the Article Editor. And he knows that his supervisors certainly will not judge his entire year of work in part by this mistake. He would see mentioning it on his annual performance review as petty, mean-spirited and sure to make team work impossible because it would give the impression that no error is too small for

the people that he works with to silently note and use against him months later. Please remove from my performance review the entire subjective sentence about the three articles.

Solicitation follow-up

Concerning my solicitation follow-up work, the performance review understates the quality of my work and rates me only slightly above average. The only activity mentioned is that I "regularly nudged authors and reviewers whose items were pending." This is actually the smallest part of solicitation follow-up work. The biggest part, at least for the articles that I work on, is giving detailed feedback to the author and working with the author to develop a much better article. I often go way beyond the call of duty, taking extra time to work closely with authors to improve the final result. I am prepared to supply written evidence showing that my work in this area is exemplary. Please change the review so that it more accurately portrays my work in this area, and raise the numerical rating from the present stingy "3.5."

Advice

Concerning the advice that I offer on editorial and other matters, my supervisors have suddenly (that is, within this review period) started looking for ways to prove that the advice I offer is bad. Coming up empty-handed, they have contrived two examples, one of which is a new, negative interpretation of advice I gave in an earlier review period. My 1998 performance review says, "Jeff's reviews of manuscripts have been completed more promptly than in the past, although they were somewhat less helpful." It is simply not true that my advice was less helpful this year. My comments on manuscripts often went beyond the minimum requirements and spelled out in detail what should be done to produce a publishable article.

As evidence that my advice is less helpful, the performance review gives only the following example, which is presumably my most deficient piece of work in this area for the entire year: "In his review of one Letter to the Editor, for example, he showed questionable judgement in his assessment of the physics competence of the authors of the Hubble Deep Field article (April '97)." There is absolutely no truth to this charge; its only value is that it reveals the bias of those who made it. I demand that my work on this letter be evaluated by an unbiased individual. James Stith, I would like you to be that individual, not because it is your job to handle appeals from Physics Today, but because your long-standing interest and expertise in physics education qualifies you to evaluate my work on this letter. All work on the letter was done in writing, and so you have a 100% complete record to review (attached). I challenge

you to find anything in my work on the letter for which I should be punished.

Here is a five-step summary of the facts of the case:

1. I edited an article by Henry Ferguson and two coauthors for the April 1997 issue of Physics Today.

2. Robert Weinstock, an emeritus professor of physics at Oberlin College, submitted a letter to the editor saying that he didn't understand how astronomers could look back more than half the age of the universe, as a photo caption in the article said. "This claim seems strange to me," wrote Weinstock, "for radiation emitted so long ago must have had its source so close to Earth at the moment of emission -- according to the generally assumed big-bang origin of the currently expanding universe -- that it would have reached Earth [long ago]." He ended his letter by saying that "If there is something wrong with my analysis, I shall be grateful to have it explained to me."

3. I thought Weinstock asked an intriguing question and that many of our readers would also be grateful for an explanation (and would value a magazine that gave them such explanations). Here, in its entirety, is my review of the letter: "I think a lot of our readers would appreciate an answer to the question that Weinstock raises. I suggest that we publish a shortened letter (see enclosed edited version) along with an answer from Ferguson." (The parenthetical words were part of my review.)

4. To my disappointment, the response from Ferguson and his coauthors was based completely on equations, with no explanation of what was going on. I wanted a physical explanation, not a mathematical one. So I recommended that we ask Ferguson & Co. for something very simple. Of course, as good science writers and teachers know, an explanation that is simple and without equations is sometimes much more difficult to produce. Sometimes when scientists don't have a Feynman-style intuitive understanding of a particular issue, they take refuge in equations. That is, sometimes authors don't understand the physics of every item that they report in their articles. I have encountered this countless times over the years while questioning authors so that I could clarify something in their articles. Sometimes they say: I don't know, my coauthor wrote that part of the article. Or they say: I don't know, I got that from So and So's paper in such and such journal. So in my review of Ferguson's letter I warned that this was one possible reason why we got only equations. I figured that if we were aware of this possibility, then we wouldn't go back to the authors again and again in a futile effort to get something that they were not prepared to supply. Here, in its entirety, is my review of Ferguson's letter: "Weinstock's question should get a physical explanation as an answer, not a

mathematical one like this. I say drop the mathematical one, don't just add the physical one to it. Perhaps ask Ferguson & Co. to write what they would say to a high-school student (or radio audience) who noticed this seeming contradiction. One possible reason that Fergie & Co. answered as they did is that they don't really understand the physics."

5. Benka rejected my suggestion that we ask Ferguson for a simple answer, and, ironically, punished me seven months later for not being fully confident that Ferguson could have provided such an answer. Because my advice was rejected, Physics Today readers ended up seeing no question from Weinstock and no answer from Ferguson.

You can see clearly now that while my performance review says, "he showed questionable judgement in his assessment of the physics competence of the authors," I in fact never made any assessment of the physics competence of the authors, positive or negative. Even if I had made such an assessment, the Physics Today managers did not and cannot accurately claim that the advice it led me to give was anything less than excellent. Their relentless search to find fault with my work, and their twisted and biased evaluations of my work when it contains no real fault, raise serious questions about their professionalism as managers and certainly disqualify them from judging my performance. If you judge that I did good work on the letter, as I claim, then I ask that my performance review mention that work as an example of my routine interest in serving the magazine's readers, and that the numerical rating on my review be raised to reflect the new, unbiased assessment. I ask AIP to make these adjustments not just to make my performance review more accurate, but more importantly as an urgently needed announcement that AIP will no longer use performance reviews to punish employees who raise troubling workplace issues.

As with every other part of my performance review, Benka refused to make any changes in this part of the review when I pointed out its inaccuracy. I asked him if he had any other examples of my supposedly bad judgment. All he could think of was something from an earlier review period: my suggestion that Physics Today try to get G. Pascal Zachary to write an article about Vannevar Bush. Zachary is a journalist -- one of the best in the country, I think -- as well as a history of science scholar. I had learned that he was writing the first ever biography of Bush, who was the first presidential science advisor and an individual who played a key role in shaping the federal science policy that prevailed for decades after World War II. After I proposed this article at a staff meeting, Physics Today publisher Charles Harris spoke about it with AIP history division postdoc Joel Genuth, a friend of Harris's at the time. I spoke with Genuth, too. Genuth advised against the article,

because Zachary was not a mainstream thinker -- quickly adding that he (Genuth) was "no slouch" and could write the article for Physics Today. At a subsequent staff meeting, I reported positive evaluations of my proposal from more established science historians and argued that our readers could handle Zachary's point of view. But Harris stuck with Genuth's review, and so that was the end of my proposal.

Now, more than a year later, during the discussion of my 1998 annual review, Benka has put a new, totally negative spin on my work on the Zachary proposal. To my surprise, when he mentioned my judgment in the Zachary case, Benka showed no sign of embarrassment, apparently completely unaware that Zachary's book was recently published to widespread praise and attention. The vast majority of books are not reviewed anywhere, but Zachary's Endless Frontier: Vannevar Bush, Engineer of the American Century (The Free Press, 1997) was both widely and positively reviewed by well-respected experts writing in major publications. (Please read the attached reviews.) Apparently, the official Physics Today line now is that Zachary managed to hoodwink major American publications and experts -- but not Physics Today. Again, because my advice was not followed, Physics Today readers missed out on what surely would have been an interesting article. Yet I am the one whose judgment is being questioned -- for reasons that I will explain below.

I ask that my performance review be corrected so that my judgment, and its value to the magazine, is discussed positively rather than negatively. I would like my work on the Zachary proposal to be mentioned as an example of the fact that I offer ideas of merit even though I am not expected to be a major source of article or story ideas. I ask that the numerical rating be raised to reflect the new positive evaluation, and that the rating be above average to reflect the fact that I offer more than the required advice. I request that AIP make this change not just to make my performance review more honest, but more importantly as an implied announcement that AIP will no longer prejudice performance reviews against employees who raise awkward workplace issues.

Additional comments

In the handbook that is given to all employees, the American Institute of Physics promises that the annual performance review will feature a discussion of "mutual goals." (Employee Handbook, page 18.) Without explanation, this year Benka followed neither the letter nor the spirit of this policy, and didn't even pretend to be interested in what direction I might want to go in my work at AIP. The discussion was unlike anything I have experienced in previous years. He simply announced a big change in my job description -- an increase in my workload by as much as

three months' worth of work per year -- and discussed it as if he were giving orders to a machine. Over the years my job description has changed many times (the most recent change being on 25 August 1997), but never by unilateral management dictate, without discussion and mutual agreement. For reasons that I will explain below, I think this change, and its unilateral imposition in violation of American Institute of Physics policy and usual practice, is punitive.

The written review accurately calls the change "new demands." But it inaccurately implies that other Physics Today staff members are meeting such new demands. My coworkers have experienced no such major increases in their workloads either voluntarily or by management order (except in one or two cases in which individuals have voluntarily renegotiated their job descriptions, job titles and salaries). My coworkers and I work hard and cannot reasonably be expected to take on additional work. Among my coworkers who have not stepped up their workloads are Gloria Lubkin, Barbara Levi, Bert Schwarzschild, Charles Day, Irwin Goodwin, Carol Lucas, Toni Feder, Jean Kumagai and Warren Kornberg.

The 25 August 1997 agreed-upon change in my job description reduced my article editing work to 70% of my time (14 articles per year) so that I could increase my work in other areas, which I have done. Now, just a few months later, AIP is using my performance review to arbitrarily increase my annual article editing load to 18 -- a 28 percent jump. The performance review also changes my job description to add a significant load of clerical work (keyboarding) to my job for the first time in my 17 years at the magazine. Other editors who work better on paper (for example, the book review editor and the copy editor) are not being told to change the way they work or to take on the associated clerical work. This clerical work, which includes keyboarding the dozens of changes made by the copy editor, could take as much as a few days per month, depending upon the article. It would lower the overall efficiency of work at the magazine, because the time spent on clerical work would, of course, reduce the time available to do other work such as article editing and article solicitation; instead of paying \$15/hour for clerical work, AIP would pay \$30/hour. Like many people, I do better work on paper than on a computer screen (and a long-standing back problem precludes long sessions sitting in front of the screen anyway). I ask that support staff be made available once again. Even if management had a valid reason for adding clerical work to my job, that reason cannot be a new one. What is new is that, for reasons discussed below, management has suddenly gotten "on my case" and is taking a hard-line on every issue.

In Benka's pro forma discussion with me about my performance review, he never asked about the direction in

which I would like to go on the job. If I were able to take on additional work, I would like that additional work to be somewhat different from what I am doing now, to provide some variety and to contribute to the magazine in a different way. When I explained this to Benka, he acted uninterested and reasserted his uninspiring, unilaterally developed plan for me, which is to do the same work, only a lot more of it.

Reprisal and repression

The American Institute of Physics is making a strong effort to prevent Physics Today staff members from pursuing workplace grievances in an organized way. Problems are to be discussed with managers on an individual basis only, we have been told. (Message transmitted to staff through warnings to Graham Collins and in other ways.)

Physics Today staff members have many legitimate concerns. Many believe, for example, that the company fails to provide conditions of employment appropriate for professionals. According to my philosophy, if there is a problem, then everyone who is in a position to address it has a moral obligation to do so. Thus, problems at the magazine are everyone's business -- the business at least of everyone who works there. Even though management doesn't see it that way, I have always tried to do whatever I could to help solve problems that arise, whether or not they affect me directly. You, too, are in a position to do something about the problems at the magazine, and therefore I think you have an obligation to do so, for the sake of both the magazine's staff and the physics community.

During the discussion of my performance review, Physics Today editor Stephen Benka condemned my organizing activities at the magazine and said bluntly that such activity "is not going to be tolerated anymore." He characterized the staff actions in which I have played a leading role as nothing more than "disruptive," rejecting my view that the source of the problem is management's failure to address staff grievances. A workplace in which unity is discouraged, as it is now at the magazine, is disruptive. The low morale, the inability to confront problems, the loss of talented and dedicated staff due to a love-it-or-leave-it atmosphere -- these consequences of management policy are disruptive and wasteful.

Physics Today publisher Charles Harris has made it clear to me and to many staff members (names withheld) that our activities have infuriated him. And American Institute of Physics Executive Director/CEO Marc Brodsky has characterized some of my activities, presumably reported to him by Harris, as "counterproductive" (20 March 1998). It is clear that Benka's hard-line attitude toward me is an attempt to redress Harris's and Brodsky's grievances with

the staff -- in particular, with those staff members whom Harris has identified as ringleaders. (Harris's ringleader theory insults the staff, because it implies that staff grievances arise not because of real problems in the workplace, but because an evil few have corrupted the minds of happy but gullible staff members and led them astray like children.)

In this memo I will be open about my organizing activities at Physics Today, because the problems at the magazine call for an organized response and because the physics community strongly supports physicists' right to organize without fear of reprisal. The latter point is evidenced, for example, in the community's many years of support for Soviet physicists who were punished for organizing, and in its concern today for physicists in other countries who face similar repression. In any case, freedom to address workplace problems is a necessary component of a truly democratic society.

Management is attempting in two ways to prevent the Physics Today staff from pursuing collective grievances -- by punishing those who speak out the most and by maintaining an increasingly repressive workplace atmosphere. My lower performance rating and subjection to an arbitrarily revised job description that makes "new demands" are punishments for taking up staff grievances. What follows is a discussion of a few of the collective staff activities in which I played a leading role and for which management criticizes me. Included is a discussion of some of the repressive measures that management has taken in response to those activities. The discussion should make it clear that my review is only one part of a series of recent attempts to stop me from promoting or engaging in any concerted staff activity.

1996 retreat

During the discussion of my performance review, Benka criticized me for my activities around the 19-20 November 1996 Physics Today retreat. Before that two-day meeting, I and some coworkers (names withheld) developed and distributed to the entire staff a list of changes that we wanted made at the workplace. We presented these requests in the form of a proposed agenda for the retreat. Fearing reprisals for making requests that might not please management, we did not disclose our names. However, the fact that I played a leading role was known to all. Job security was our highest priority, and so our demand for that topped our list. (See item 1 in attached document of 15 November 1996.) Other requests included staff involvement in workplace dispute resolution (item 4), better distribution of job tasks (item 5), affirmative action in hiring (item 8), and conditions of employment appropriate for professionals (the other items).

Salary equity

I worked with other staff members to demand pay equity at Physics Today. On behalf of those of us who were pushing for this, I told the Physics Today advisory committee at their 4 October 1996 meeting that the large salary differentials among the staff were not only unfair, but also divisive and bad for morale and productivity. I raised the issue at various staff meetings as well. Management was not pleased by the pressure we applied, in part because it forced them to give a staff member (name withheld) a special 25% salary increase, beginning on 1 June 1997.

Affirmative action

Management's anger at me increased dramatically, and never subsided, when I worked with Jean Kumagai and other staff members (names withheld) to assert the need for equal opportunity and affirmative action in hiring at Physics Today. We raised the issue when Ray Ladbury left the magazine, creating an opening on the editorial staff. (His replacement, Charles Day, started work on 2 June 1997.) I spoke out strongly on the equal opportunity and affirmative action issue, because Jean and I and the others didn't think Physics Today or AIP management took it seriously. Our concerns were largely ignored, and so, later in the year, we decided to bring the problem to the attention of the Physics Today advisory committee at its annual meeting, held 17 October 1997. On behalf of the concerned staff members (names withheld), I brought the matter to the committee's attention.

One week later, on 24 October 1997, American Institute of Physics Executive Director/CEO Marc Brodsky called me and said that I had made "a very, very serious charge." (Detailed notes available.) He directed me to meet with him and defend my charge, and I did so on 5 November 1997. At that meeting I gave Brodsky a note summarizing the important points. Rather than repeat those points here, I am attaching a copy of the note. (See note of 5 November 1997.) That note is an important part of this appeal about my performance review, and so I ask that you read it.

At my meeting with Brodsky I also pointed out that AIP had failed to conduct the affirmative action training that it promised to conduct in its 284-page "1996 Affirmative Action Program for American Institute of Physics." (See attached excerpts.) Among the many promises that AIP makes in that 1996 document is that "During the current plan year we will be conducting training for all employees about our affirmative action program and equal employment opportunity in the workplace." I pointed out to Brodsky that AIP did not conduct the promised training. He countered by saying that he was pretty sure that he mentioned affirmative action either at the one-hour question-and-answer session that he

held on 20 June 1996 or at the Q&A meeting that he conducted for employees at AIP's facility in Woodbury, New York. (I recall no such mention at the 20 June 1996 College Park meeting.) He indicated that this mention was the promised affirmative action "training."

Brodsky said he would look into affirmative action at Physics Today and tell me what he found. After a 4.5-month investigation, he met with me on 20 March 1998 and reported that he found that Physics Today's affirmative action program was doing very well. He said he judges the program by its results. (This was mysterious, because as of 20 March 1998, the Physics Today staff in the College Park office was all white; out of a staff of 18, the magazine had only one minority employee, working from New York.) I asked again about the promised affirmative action training. This time he said he was sure that he had mentioned affirmative action at both 1996 Q&A meetings, and he again indicated that such mention was the promised affirmative action training. After extensive questioning, he said that such mention was "part of" the promised training. I asked him when the rest of the training would be done, and he promised to look into that. In the end, I told Brodsky that we still believe our concerns to be well founded and that we are disappointed with his response. Apparently in Brodsky's view, however, the upshot of what happened is that I leveled serious, totally unfounded charges at AIP, and he is not happy about that.

1997 retreat

Management's anger at me increased yet again (and has not decreased since) when I helped raise staff concerns before and during the 25 September 1997 one-day Physics Today retreat. Before that meeting, I played a leading role in producing a list of proposed agenda items that represented a few of the many staff concerns. A majority of the staff supported it, and half of the staff signed it. (See attached e-mail message of 18 September 1997.) The top item on that list was a request for greater staff participation in decision making. The days leading up to the meeting saw much debate between management and many staff members over the meeting agenda, which management was formulating. Harris became upset that the staff wasn't embracing his agenda, and he began treating me and my coworker Graham Collins as ringleaders on the staff side, apparently becoming permanently angry at us.

At the retreat itself I asked if staff members could ask questions. Harris said no. I then said that I thought that we should be allowed to ask questions. Harris angrily said "No, That's an order!" Some days after the meeting he explained that he thought my request for the right to ask questions was another attempt to promote the staff agenda. At the retreat and in subsequent weeks, a number of brave

coworkers openly criticized Harris for the way in which he shut me up.

Gag order

After the retreat Harris put a gag order on me, handing me a written "notice" that implied that I would be fired the next time I said anything that Harris considered to be "counterproductive." (Document dated 26 September 1997 withheld.) This outraged many of my coworkers, who saw my forced silence as against their interest. They openly criticized the gag order, forcing Harris to rescind it. (Electronic mail message of 2 December 1997 withheld.) He did so reluctantly and without any decrease in his anger toward me.

Appeal to advisory committee

The gag order was just one of many management actions that strongly discouraged staff members from raising grievances of any sort. In an effort to get this chill lifted, a number of staff members (names withheld) decided to appeal to the Physics Today advisory committee at its annual meeting on 17 October 1997. We made our appeal to the committee, which reports to AIP's top management, in writing (memo of 17 October 1997 withheld) and in individual oral presentations. Our written note was titled, "Freer Atmosphere Needed at Physics Today" and began, "At Physics Today there is an increasingly repressive atmosphere that discourages staff initiatives...." The memo described how Physics Today staff member Graham Collins had also been warned about speaking up about workplace problems. It contained the following paragraph: "Both Jeff and Graham have been outspoken about problems that many of us see at the magazine. We feel that the lecture to Graham and the written notice to Jeff both contribute to a repressive atmosphere at the magazine and restrict all of us. We hope the advisory committee will do whatever it can to get these warnings retracted, and to remind the PT managers that repression is counterproductive. Such steps would go a long way toward diminishing the fear that staff members now associate with trying to openly address problems at the magazine."

Harris has harshly criticized me for my leading role in the presentations to the advisory committee, telling me and others (names withheld) incorrectly that I tried to get him fired. He sees this as an unforgivable offense that obligates him as a matter of manly honor to fire me or eventually drive me out and that gives him the moral right to do so by any means. Those means include steps that appear honest to outsiders but are not -- such as the present performance review, which imposes an unattainable goal that can be used against me a year from now when it has

not been met. When I explained to Harris that neither I nor the other staff members involved tried to get him fired or even wanted that to happen, he replied that I was either naive or lying. (I still do not want him fired, but I can no longer speak for others on this point. Respect and support for Harris by other staff members, including some not involved in our collective activities, have deteriorated sharply.)

Ban on my private conversations

In pursuit of his agenda, Harris has evidently given Benka license to go after me and other perceived management enemies on the staff. I will briefly describe here a recent example. (A more detailed account is available.) At about 6 pm on Wednesday 28 January 1998, I was in my office talking to my coworker Toni Feder on the telephone when Benka opened the door and asked rudely and sarcastically if I was talking to one of our authors. I said, "No, I'm talking to a coworker, Toni." He acted as if he already knew that. He stepped further into my office and said that he wanted in on our conversation. This was unprecedented and frightful. I switched Toni to the speakerphone and told her that Stephen Benka was here and wanted to be in on our conversation. She sounded equally shocked. Benka suggested that she walk over from her office to mine, and she said OK. I then walked out of my office and into the open area of desks just outside, and Benka followed. I did this to make room for Toni and to get some physical distance between myself and my supervisor, who was clearly behaving very strangely.

After Toni arrived, Benka asked us what we had been talking about on the telephone. I thought his question was way out of line, but I answered it anyway: We had been discussing the May 1998 50th anniversary issue of Physics Today. But after giving that short answer, I said that the important question is why he was trying to barge in on our conversation.

He answered by announcing that Physics Today management is forbidding all private conversations between staff members at work. From now on, all conversations between staff members must be open to management supervision, he said. When I asked him why, he referred to the organizing activity that took place last year and said that he doesn't want that to happen again. This smelled like a retaliatory and repressive policy aimed primarily at me, and so I asked him whether or not it applies to everyone. He said it does. I didn't believe him (but I didn't say that I didn't believe him), and so I pressed him three or four times to say whether or not he was going to announce the new policy to the rest of the staff. His final statement was that he knows that I want to know that.

The policy was never formally imposed on the rest of the staff, of course. But news of management's anger at private conversations spread quickly throughout the staff (yes, by way of private conversations). Even though the totalitarian policy officially applies only to me and Toni, it has put a chill on everyone's expression and has contributed to the repressive atmosphere at Physics Today.

Physics Today loses Graham Collins

In this memo I have for obvious reasons focused on my own case. But I don't want to leave the impression that management is critical only of me. In fact, they target any employee who speaks out about workplace problems. My most outspoken coworker, Graham Collins, was also the subject of a gag order and other reprimands for saying what many on the staff were thinking but were afraid to say. (Graham's gag order and mine were lifted at the same time.) I won't explain here how management irresponsibly made leaving the magazine Graham's best option. The details are available elsewhere. But with permission from Graham and all involved, I am attaching a copy of a note to Graham that I helped write after he submitted his resignation. (See attached note of 16 March 1998; authors' names withheld.) Please read the note as an integral part of my performance review appeal, as it contains a number of important and relevant points not made elsewhere.

'On my case'

As I mentioned above, management is now "on my case," and so my work is now subjected to greater scrutiny. Without precedent, the magazine's management recently examined and criticized some of my work before I completed it. (That was my work on the first of the five decade sections for the May 1998 50th anniversary issue of Physics Today.) Ever since the 1997 retreat, Physics Today publisher Charles Harris has given me the impression that I am being monitored. After the retreat he attended almost every magazine department meeting that I attended -- meetings that he had only rarely attended in the past. After some meetings, he commented privately to others about my performance.

Your moral responsibility

Physics Today's new love-it-or-leave-it policy, mentioned in the 16 March 1998 note to Graham, implies that the magazine's problems originate in the staff. Keeping the focus on the staff is not simply a harmless way that management diverts attention from itself, but is extremely costly. In the short time since Graham submitted his resignation, editor Benka's assistant Susan Funk has quit in frustration, and publisher Harris's assistant Carol Lucas has resigned. The loss of experienced staff, the

discouraged state of many of those who remain, the repressive atmosphere's toll on creativity -- in general, the frustration of those who want their job to be more than a simple exchange of time for money -- in these and other ways current policy wastes the resources of the physics community. You have a responsibility to undo the current widespread cynicism at Physics Today by making staff-initiated change possible.

S 002121

18 August 1997

Steve --

As I have noted in many conversations and memos over the years, I work most efficiently in my job of feature article editing when I have articles at all stages of development. That means, for example, some articles that have just been solicited, some that have been submitted and reviewed, and some that have been revised by the author and are ready to edit.

As you know, our supply of articles in the last category has followed a "feast or famine" pattern -- mostly famine. This has held down my productivity to the point where I cannot afford to take the full 30-day vacation that I recently requested (and that you approved) and still meet my annual article editing goal. So I am thinking about cutting that vacation in half, perhaps, and using the rest of my vacation time at some later date. I won't be able to work out the details until some articles in the last category trickle in and I can draw up a schedule.

As of today, we have received neither of the two manuscripts that I am going to edit for the December issue. I would be working on them now if we had them. The Riordan manuscript, for example, is not expected to arrive until around the time I had planned to go on vacation. And I have no articles that I can edit now for issues following December. I would like to edit two articles for the January issue and two for the February issue, but I will not be able to do that under our usual famine conditions -- I will need to have the manuscripts much earlier than I have been getting them. If today I had four manuscripts ready to edit for those two issues, I could work on all four simultaneously, using my time to greatest advantage. I think you will agree that the magazine should be in a position where such productivity and advance work is routine.

Given the status of the December manuscripts, a 30-day vacation as planned would compromise my ability to edit two articles for that issue. I would like to take a shorter vacation and continue working at home much of the time, as long as that continues to work well. Please let me know if that is OK, and in any case please see how soon I can have four articles that are ready to edit for the January and February issues.



S 002122

21
August 19, 1997

Jeff,

It is the responsibility of the article editors at Physics Today to produce finished articles starting from any point in a given article's development.

Thus the responsibility of generating "ready to edit" articles is in part yours. For one example, we had agreed that you would obtain Colson's article on free-electron lasers, and have it edited in case we needed it for an emergency fifth article in the October special issue on the electron; otherwise we could drop it into the magazine a month or two later. Fortunately, we don't need it for the special issue; to my knowledge you have yet to acquire the article.

You were my first choice to edit several articles in late stages of development in the recent past, but turned them all down: Fink (March); Cohn (May; I edited that one, while you edited none that month); Jeanloz to edit with Soulent (August); a second article for October (you were reluctant to take Perl); Kasap for November.

As recently as two months ago, when you wanted to take paternity leave (which I OK'ed), you told me you didn't want any additional articles through the end of this year. As noted above, I offered you some anyway and you turned them down. You expressed no interest in articles, so I left you out of my plans for them.

I understand your special circumstances and once again offer you my heartfelt congratulations on the birth of Joshua Rose. If you are now ready once again to accept the responsibilities that go with feature articles, I can supply you with as many as you want. The articles that are currently "ready to edit" have been assigned to others. Nevertheless, I am sure we can reach a mutually acceptable state of affairs.



S 002123

PHYSICS TODAY

from Stephen G. Benka

Off. As we discussed,
as of today we are shifting
your job tasks slightly:

Actual editing goes from a
weight of 80% to 70%.

Following up on solicited
articles goes from 15% to 25%.

—Steve
8/25/97

2 September 1997

Steve --

Thank you for responding to my note of 18 August 1997, in which I ask for more work -- specifically, more feature-article manuscripts that I can edit for publication in the magazine ahead of deadline. I was dismayed to find that instead of welcoming my request, your response focuses on assigning blame for the lack of such manuscripts and goes on to deny that we have any such deficiency.

You base the first part of your response on the fact that Physics Today staff members do follow-up work with the people whom you have invited to write articles for the magazine. You note that these staff members are therefore "in part" responsible for obtaining manuscripts that are ready to edit for publication. All this is true, but our severe shortage of such manuscripts is not due to deficient solicitation follow-up work by the staff as you imply. The article editors on the staff have, in fact, done a good job of following up on solicited articles -- staying in contact with the authors and working with them to produce the articles that you have asked them to write. If you think you could do better than we do, you should share your secret. For whatever it is worth, my experience is that when a conscientious and hardworking staff is blamed for a long-standing problem, the diagnosis is usually incorrect, and an incorrect diagnosis is an impediment to a real solution. (In my own case, according to my job description, solicitation follow-up has been a small part of my job; but I work at it conscientiously, and on my latest annual review you said that I do above-average work in this area.)

No, the problem is not your staff's lack of competence in its follow-up work with authors. The problem is simply that the magazine has solicited far too few articles. This has had unfortunate consequences, not only for the staff (as my note of 18 August 1997 describes for my case), but also for the magazine's subscribers. In the past three years I doubt that we have had even three months in which we have had a backlog of manuscripts ready to edit. Typically, the editor scrapes each issue together in a near-crisis atmosphere, after a desperate search around the office for manuscripts that may have arrived -- or that are said to be "in the mail." The lineup of articles in most issues of Physics Today is thus dictated by forces beyond our control.

Your listing of manuscripts that you say you offered to me begs the question of giving me more manuscripts that I can edit and prepare for publication, because we did not have the manuscripts on your list. In your own words, they were "in late stages of development." I should point out that even manuscripts that you consider ready to edit often are not. And when the shortage of manuscripts forces us to schedule incomplete manuscripts for near-term publication, we often have to pressure authors to work with us under un-

time pressure. This is unfair to both the author and the Physics Today staff, because it deprives them of the opportunity to do their best and therefore most satisfying work. The largest group to suffer, of course, are the readers. I don't know how many of the articles that you listed fell into that category, because I did not work on those articles.

As I said in my memo of 18 August 1997, I think article editing work is done most efficiently when it is done well ahead of the deadline. So in general I seek to work in advance and am reluctant to take on articles that, due to the shortage, will necessarily have to be done at the last minute, often after I have already scheduled work on other articles and often well after any reasonable deadline for submission. Month after month our work should not consist of "rush jobs" for issues that are upon us. I would have taken on the articles in your list if they had been scheduled for later issues -- or, even better, if they had not yet been scheduled for specific issues. But because of our serious lack of manuscripts, it has almost never been possible to work ahead.

In your response you say that I "agreed" to obtain William Colson's article by a particular date. This cannot be true. There is no way that I or any other Physics Today staff member could credibly "agree" that Colson and his coauthors would finish writing their article by a date that you picked arbitrarily. Only Colson and his coauthors -- all volunteers, remember -- could do that, and they did not. We cannot suddenly and unilaterally spring a short deadline on an author. The most we can do is ask our authors if they can meet such a deadline. Over the years you have asked many authors whether or not they could meet particular deadlines that you had in mind, and you have accepted later deadlines when they told you what they could do. Just because you are now talking to a staff member, rather than directly to the author, doesn't mean you can "just say article" and have it appear.

In the final paragraph of your response to my request for manuscripts, you boast: "I can supply you with as many as you want." This is simply not true. In fact, when we spoke after I received your response, you could not supply even one manuscript that I could edit for the January issue, the February issue or any subsequent issue. Of course, we will eventually come up with something to fill the holes in those issues. But, as usual, that is not likely to happen soon enough to allow us to work ahead. I am sure we could continue to pretend that this modus operandi is not a serious problem -- after all, we have managed to get by with it for a number of years. But it takes an unnecessary toll on many people, and so I think we have a moral responsibility to the staff (article editors, editorial assistants, art editor and copy editors), authors and

readers to solve the problem. I think the obvious first step is to admit that we do have a serious shortage of manuscripts and that the shortage leads to the problems that I have described here and in my note of 18 August 1997.

As I mentioned above, solicitation follow-up work has been only a small part of my job -- at least that is what I thought. When I saw how much you emphasized it in your response to my note, I took a look at my job description and noticed that such work was a bigger part of my job than I had remembered. Upon further investigation, however, I discovered that you had altered my job description after the fact to add truth to your claim. Indeed, the altered job description was dated 19 August 1997, the same date carried by your response to my note. For future reference, let me say here that I and other members of the staff prefer an above-board management style, where, for example, important changes are pointed out to people rather than being left for them to discover -- or, perhaps, not discover. In any case, you and I discussed the change in my job description on 25 August 1997, and I agreed to it. Thus, I will increase my solicitation follow-up work by about 2/3 and reduce my article editing by 1 part in 8. (I will continue to spend the large majority of my time on article editing.) Because of my preference for doing things above-board, I asked you to write me a note describing the change in my job description, and I thank you for doing so.

For the record: In your response to my note, you say that you OK'd my request for paternity leave. My recollection is that you neither approved it nor denied it, because I withdrew my request before you responded.

So that we don't wander too far from the original issue, let me repeat that I made my 18 August 1997 request because I felt that I was being held responsible for a particular amount of work (my annual article-editing goal) while being made to work so inefficiently that I could not do that amount of work -- at least not with sufficient time left over to take some time off. My revised job description will lessen slightly my need for ready-to-edit articles, and so should provide some relief in this area.

The Riordan manuscript has just arrived, and I would like to work on it now, so as to finish it as far ahead of the deadline as possible. Unless you tell me otherwise, that is what I will do. Perhaps I will take some vacation time later, depending in part on what other work comes in.



S 002127

From: Martin L. Perl <martin@SLAC.Stanford.EDU>
To: Jeff Schmidt <jds@aip.org>
Date: 2 Sep 1997 (Tue) 17:13
Subject: Leptons After 100 Years Article

Dear Jeff

Thank you for changing my ugly duckling of a manuscript into a beautiful swan. You have done a wonderful job.

I have the following comments:

Page 35, column 2: the ***** in "See box 1 on page ***** 36 has not been inserted yet.

Page 39, column 2: the ***** in "See box 2 on page ***** 40 has not been inserted yet.

Page 36, bottom equation in column 2: space required between virtual and Z0.

Page 38, Figure 4: TAU DETECTION scheme might be changed to TAU DETECTION apparatus.

Page 40, Box 2, column i: yes, each h should be an h-bar.

Page 40, References: the names in Ref. 3 are spelled correctly; in Ref. 10 the page number is 2074; in Ref 16 the page number is indeed 79c, it is a conference proceedings and every page has a c added to the page number.

Thank you so much Jeff for all your helpa dn guidance. I am greatly looking forward to the issue.

Sincerely yours

Martin Perl

S 002128

From: "George Crabtree" <george_crabtree@qmgate.anl.gov>
To: "Judy Barker" <jbarker@aip.acp.org>
Date: 15 Apr 1997 (Tue) 19:24
Subject: Vortex Article

Subject: Time: 5:26 PM
Vortex Article Date: 4/15/97

Dear Steve, Jeff, Barbara, and Judy,
I just received the offprints for our article on Vortex Physics in the April issue of Physics Today. What fast service! The article looked very good in the magazine, and I got a warm feeling on finally seeing it in print. Thanks to all of you for your efficient and competent efforts to bring the article out. For David and me, it is gratifying to see the fruits of our work appear with such high production standards. Thank you all once again.

Sincerely,
George Crabtree

George Crabtree - MSD/223
Argonne National Laboratory
9700 S. Cass Avenue
Argonne, IL 60439 phone: 630-252-5509
 fax: 630-252-7777
 e-mail: crabtree@anl.gov

CC: "David Nelson" <nelson@cmt.harvard.edu>

S 002129

Letter to the Editor
Review Form

MS Number: L-9705-527-U

Author: Weinstock, Robert

Title: Comments on "Probing the Faintest Galaxies, April 1997"

Review by: js

Date Assigned: 5/22/97

Date Completed: _____

Accept

Reject

Staff Revise

Author Revise

I think a lot of our readers would appreciate an answer to the question that Weinstock raises. I suggest that we publish a shortened letter (see enclosed edited version) along with an answer from Ferguson.

-JS

Please return to Susan Funk by 5 June 1997. Many Thanks!

Review by: _____ Date Assigned: _____ Date Completed: _____

Accept

Reject

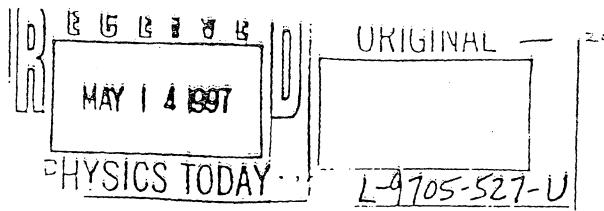
Staff Revise

Author Revise

OK. Get Ferguson's response.

-Steve
6/30/97

S 002130



Letter to Physics Today:

In "Probing the Faintest Galaxies", by Ferguson, Williams, and Cowie (April 1997), the caption to Figure 1 reads, in part, "For most of the galaxies in the image, we are looking back more than half the age of the universe".

CS
This claim seems strange to me; for radiation emitted so long ago must have had its source so close to Earth at the moment of emission — according to the generally assumed big-bang origin of the currently expanding universe — that it would have reached Earth, if at all, well before the era of telescopes, spectrometers, and, of course, us. That this is so springs from the fact that no source can recede from the earth at a speed greater than that of the radiation — namely, c .

To derive this conclusion, let us measure all times and distances relative to Earth's rest frame and let

t = measure of time, from big bang at $t = 0$

T = age of universe (= time elapsed from big bang to Earth's receipt of radiation from source)

θ = time after big bang at which radiation is emitted from source

\bar{v} = average speed of separation of source and Earth from big bang ($t = 0$) to emission of radiation ($t = \theta$).

Thus the total separation of source and Earth at time of emission — i.e., the distance the radiation travels at speed c from source to Earth — must be $\bar{v}\theta$, and the time elapsed during the radiation's journey is

$$T - \theta = \frac{\bar{v}\theta}{c},$$

from which follows

$$\theta = \frac{T}{1 + (\bar{v}/c)}$$

And from $0 < (\bar{v}/c) < 1$, i.e., the limiting feature of the speed of light
we conclude

$$0.5T < \theta < T.$$

(No) Any radiation we receive today must have been emitted therefore at least half the age of the universe after the big bang.

How, then, if the above analysis is sound, do Ferguson, Williams, and Cowie — along with others — suppose radiation to have reached Earth in the 20th century from a source that was, at moment of emission, farther from Earth than $(cT/2)$? Since they evidently infer emitter distance from the doppler-shift magnitude, a ready-to-mind answer is their use of an erroneous relation between emitter distance and doppler shift measurement.

If, however, there is something wrong with my analysis above, I shall be grateful to have it explained to me.

Robert Weinstock

Robert Weinstock

Emeritus Professor of Physics

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(216) 775-8337

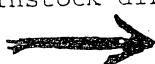
Jeff: Spurred by your review, we are planning to publish Weinstock's letter [①]; Ferguson [②] suggests we read his response [③] and consider publishing neither. What think you?

From: Harry Ferguson <ferguson@stsci.edu>
 To: ACP.AIP(pelliot)
 Date: 7/28/97 10:37am
 Subject: Reply to Weinstock letter

Dear Paul,

Paul
 28 July 97

Here is our reply to the letter to the editor. Actually, we wouldn't recommend publishing either the letter or our reply, as this sort of basic question about light travel times seems a bit out of place for your letters section. Perhaps you should forward our reply to Dr. Weinstock directly and see if that satisfies him?



Sincerely,
 Harry Ferguson

①

Weinstock Letter to the Editor

In *Probing the Faintest Galaxies,* by Henry Ferguson, Robert Williams and Lennox Cowie (PHYSICS TODAY, April, page 24), the figure 1 caption reads, in part, *For most of the galaxies in the image, we are looking back more than half the age of the universe.*

This claim seems strange to me. Radiation emitted so long ago must have had its source so close to Earth at the moment of emission*according to the generally assumed Big Bang origin of the currently expanding universe*that it would have reached Earth, if at all, well before the era of telescopes, spectrometers and, of course, us. That this is so springs from the fact that no source can recede from the earth at a speed greater than that of the radiation*namely, c. A simple calculation, in fact, shows that we are looking back through less than half the age of the universe. Can it be that Ferguson et al. are using an erroneous relation between emitter distance and doppler-shift measurement?

If there is something wrong with my analysis, I shall be grateful to have it explained to me.

> @SIGNATURE = ROBERT WEINSTOCK
 > @ADDRESS = (zweinstock@oberlin.edu)
 > @ADDRESS = Oberlin College
 > @ADDRESS = Oberlin, Ohio
 >

> Ferguson et al. reply

③

The redshift distribution of the galaxies in the HDF is not known precisely, however, a very conservative guess based on Keck spectroscopy of the brighter galaxies and the colors of the fainter galaxies is that more than half the galaxies have redshifts $z > 0.8$.

The statement made in the caption of figure 1 comes from a

SB: Weinstock letter below,
 followed by Ferguson reply.
 Ferguson recommends we not
 publish either. So does Chas.
 Jeff says otherwise - See
 next page. I suggest we

ask Weinstock
 if he
 may
 feel
 publication
 deserves
 his
 lack
 of
 understand
 ing
 of
 cosmology.
 What
 say?
 You?
 Paul
 8/13/97

calculation of lookback time to a galaxy at $z = 0.8$. For a critical-density universe with a cosmological constant $\lambda = 0$, the lookback time is

$$\tau = \frac{2}{3} H_0^{-1} (1 - 1/(1+z)^{3/2})$$

and the present age of the universe is

$$t_0 = \frac{2}{3} H_0^{-1}$$

where H_0 is the Hubble constant.

For this cosmology, a galaxy at $z = 0.8$ has $\tau = 0.6 * t_0$. In other words the lookback time is more than half the present age of the universe.

A general expression for the lookback time with arbitrary values of the cosmological constant and density parameter is given in Carroll et al., 1992, Ann. Rev. Astron. Astrophys., 30, 499 (equation 16).

Henry Ferguson
Robert Williams
Lennox Cowie

Paul —

Weinstock's question should get a physical explanation as an answer, not a mathematical one like this.
 — say drop the mathematical one, don't just add the physical one to it. Perhaps ask Ferguson & Co. to write what they would say to a high-school student (or radio audience) who noticed this seeming contradiction. One possible reason that Ferguson & Co. answered as they did is that they don't really understand the physics.

— Jeff

28 Jul 97

S 002134

PHYSICS TODAY

from Stephen G. Benka

Paul,
Forward Ferguson's
response to Weinstock.
We won't publish
either the letter or the
response.

Steve 8/14/97

33.

Scientocracy

Vannevar Bush envisioned a brave new world run by scientists.

ENDLESS FRONTIER

Vannevar Bush,
Engineer of the American Century.
By G. Pascal Zachary.
Illustrated. 518 pp. New York:
The Free Press. \$32.50.

By Thomas P. Hughes

DURING World War II, Vannevar Bush mobilized America's engineers and scientists, presided over the making of the atomic bombs, advised President Truman on the decision to use them against Japan and, in a memorable essay entitled "Science — The Endless Frontier," formulated a bold policy for the country's postwar cultivation of science and engineering. He defined, as well, the military-industrial-university complex and gave it the impetus that propels it today. As G. Pascal Zachary observes in "Endless Frontier," no wartime figure in the world marshaled such enormous engineering and scientific resources.

Born in 1890 in Everett, Mass., Bush cultivated his scientific interests while a mathematics student at Tufts and a graduate student in electrical engineering at M.I.T. In the 1920's, when American engineering was in transition from the improvisatory pragmatism of the past to the science-based approach of the future, Bush became known for blending traditional scientific values with the emerging professional ones. At ease in the machine shop as well as in the laboratory, he spoke of himself as using both the hand and the head.

M.I.T., which was in the vanguard of this professional transition, adopted Bush as an exemplary faculty member and later named him dean. He won worldwide peer recognition as the foremost designer of electromechanical analog computers. Decades later, his *Atlantic Monthly* article "As We May Think" spread the notion of mechanizing the storage and retrieval of information, an idea that fired the vision of several computer pioneers. Zachary, a business and technology reporter for *The Wall Street Journal*, has aptly subtitled his biography "Engineer of the American Century."

Bush assumed that men of brains, judgment and good will would rise to positions of responsibility in the engineering and scientific world. (He was not at all sure that this was true in political and military realms.) An elitist holding high academic standards, he believed that university engineers should reach out to render public service, not only solving problems assigned to them, but helping to formulate policy as well. This agenda would bring him into sharp conflict with the Washington establishment.

After World War II began in Europe, Bush, answering a call from Washington to mobilize engineers and scientists for national defense, put together the Office of Scientific Research and Development. Contemporaries called it the greatest research and development organization in history. Its story has often been told, but Zachary goes deeper to explore Bush's influential and often controversial views on the role of experts in a democracy, an issue that surfaced then and that remains only slightly below the surface now.

Bush and elitist science associates like James

Thomas P. Hughes is a professor of the history of science and technology at the University of Pennsylvania and M.I.T.

Conant, the president of Harvard, sharply criticized the military for not developing strategy and tactics that incorporated new weapons, such as radar and the proximity fuze. Bristling with impatience, Bush used his direct access to Franklin D. Roosevelt, as well as his freedom from Congressional oversight and his huge budget, to bring pressure on generals and admirals to accept scientists and engineers as partners in making policy.

Turf battles were inevitable. The Chief of Naval Operations, Adm. Ernest J. King, a formidable opponent, accused Bush of "trying to mess into things in connection with the higher strategy which were not his business, and on which he could not have any sound opinions." Other officers scornfully dismissed the civilian experts as men without combat experience.

Bush's advocacy of unfettered scientific expertise brought criticism from the politicians as well. The United States budget director, Harold Smith, declared that Bush "is too much influenced by the assumption that researchers are as temperamental as a bunch of musicians, and consequently we must violate most of the tenets of democracy and good organization to adjust for their lack of emotional balance." "Most of them," he added, "do not know even the first thing about the basic philosophy of democracy."

Undaunted, Bush, according to one colleague, talked "straight to generals and cabinet officers and the President," and made them "take it." After fierce confrontations, he would sometimes withdraw in the evenings to Washington's exclusive Cosmos Club and negotiate with his opponents over a bottle of Scotch. He often prevailed.

Jerome Wiesner, John F. Kennedy's science adviser, thought that the 20th century might not again produce Bush's equal in engineering and science policy. Alfred Loomis, a knowledgeable science patron, investment banker and radar expert, concluded that among the men whose death in the summer of 1940 would have caused the greatest calamity for America, Roosevelt was first and Bush would be second or third.

BY war's end, however, Bush was bone-tired, broken in spirit and bereft of influence. Finding the Truman Administration's science policies suggestive of a chapter from "Alice in Wonderland," he left the Government in 1948. In his last great effort, he tried and failed to establish a National Research Foundation, a peacetime replacement for the research and development office, one that would cultivate fundamental science both for military and civilian uses. He wanted peacetime science unfettered by political controls, but failing to perceive a growing call for public accountability, he aroused overwhelming opposition. James V. Forrestal, the first Defense Secretary, observed that "even with both ears to the ground," Bush did "not hear the rumble of the distant drum."

Deeply informed and insightful, Zachary has thoroughly captured the spirit of Bush and his times. In evaluating the man's legacy, he honors Bush as a role model for his generation's engaged engineers. But Zachary is impatient with Bush for resisting people whom he considered government interventionists, intent upon pursuing science primarily for the ill-fed, poorly educated and unemployed. Zachary is surely right in concluding that Bush's single-minded support of elitist universities and his advocacy of the "free play of free intellects, working on subjects of their own choice" would find little support in Washington today. □

The New York Times, 26 October 1997

S 002136

Advocate of the Atomic Age

ENDLESS FRONTIER
Vannevar Bush, Engineer of the American Century

By G. Pascal Zachary
Free Press, 518 pp., \$32.50

By Gregg Herken

ALL that has been written about the making of the atomic bomb tends to ignore the fact that the Manhattan Project was primarily an engineering effort. Historians have lavished most of their attention upon the more temperamental—and hence colorful—physicists involved. Journalist G. Paschal Smithsonian, is writing a book about physicists Ernest Lawrence, Robert Oppenheimer and Edward Teller.

dent of Harvard—whom he described as a “square-shooting, level-headed liberal.” The pairing of Bush and Conant created one of the most remarkable intellectual partnerships in the modern history of science and technology, but it receives disappointingly little treatment in this otherwise excellent book. (Readers are advised to consult Jim Hershberg’s brilliant biography of Conant, which can be read as almost a companion volume.) When World War II finally arrived, Bush created a larger, umbrella organization—the Office of Scientific Research and Development—and assigned the NDRC to Conant. Together, the duo not only oversaw development of the decisive weapons of victory—radar, the proximity fuse, and the bomb—but also became Roosevelt’s de facto science advisers.

“Science—The Endless Frontier” was the 192-page plan for postwar federal support of scientific research that Bush prepared for Roosevelt as victory approached; he intended it as his legacy. Like the NDRC and OSRD, Bush wanted peacetime

cal Zachary’s *Endless Frontier*, the first biography of an engineer who was once the doyen of America’s scientific establishment, takes a major step toward setting the record straight.

Vannevar Bush was a prototypical Boston Yankee whose father was a Universalist preacher and grandfather a sea captain as well as things.”

An inveterate tinkerer, Bush invented before he was 40 a device to detect submarines, a code-breaking machine, a solar-powered pump, and the “differential analyzer”—an early, mechanical version of the computer. In the mid-1920s, he co-founded Raytheon and was made wealthy by the

“Bush’s greatest invention was not a thing but an organization—the National Defense Research Committee.”

subsequent growth of the electronics giant. In 1939, on the eve of World War II, he became president of the Carnegie Institution in Washington, D.C.

Yet Bush’s greatest invention was not a

thing but an organization—the National Defense Research Committee—which he

as a threat, and the cronies and pols who surrounded FDR’s successor, Harry Truman, also feared—with some reason—that Bush’s real goal was a technocracy, a government by experts. Blocked at every turn, Bush could do little but complain and wax nostalgic about the halcyon days of the war. He finally left the government in 1948.

Over time, Bush’s hardheaded pragmatism became an ossified suspicion of the new. He was most famously wrong about ballistic missiles—I think these things will be just too expensive and inaccurate to use, even if they could be built—but his attachment to the analog technology of his differential analyzer likewise blinded him to the potential of digital computers, even though he was one of the first to herald the coming of the information age. (In one area, Bush’s naysaying may only have

been premature. He warned in 1960 that putting people in space was merely a “stunt” that would eventually “bore the public” and “kill some promising youngsters in the process.”)

In retirement, Bush was saved from be-

and President Franklin Roosevelt, created in time to mobilize the country’s scientific brainpower for the coming conflict. The quality that Bush typified and that he valued most—the ability “to think straight in the midst of complexity”—was key to his and the NDRC’s success in jump-starting the nascent atomic bomb project, which hidebound bureaucrats and flighty physi-

cists had left dead in the water. When a National Academy of Sciences panel dithered as to whether a bomb was possible, Bush added a handful of engineers and sent them back to the drawing board; the panel decided the bomb was feasible after all.

Bush also had the talent to recognize his own limitations. “Most of this was over my head,” he readily admitted to physicist colleagues who were probing the mysteries of fission. Accordingly, Bush teamed up with another, Bostonian—chemist James Conant, presi-

—Continued on page 5



ASSOCIATED PRESS

Vannevar Bush In 1947

Vannevar Bush research to “supplement” rather than compete with work done by the military services. Predictably, however, the Pentagon viewed Bush’s plan

coming simply a curmudgeon, by two courageous acts that received little or no public attention. In 1952, while on a blue-ribbon panel studying disarmament, Bush tried to postpone the explosion of America’s hydrogen bomb until the possibility of a ban on such tests could be explored by Truman’s successor. Two years later, Bush spoke out in Robert Oppenheimer’s defense at the latter’s security hearing, where the physicist was being pilloried for his opposition to the H-bomb. While for naught, Bush’s heroic stand at the Oppenheimer hearing was arguably his finest hour.

In an era when science as well as history is said to be only a reflection of changing cultural values, Zachary’s book gives a glimpse into a simpler time. Vannevar Bush was the exemplar of a generation

that has now vanished. Bush evoked the

attitudes and standards of that generation

when he wrote, in December 1940,

standing “at the mouth of the cave with a

few strong men of the clan armed with

stone axes against a hostile world.”

THE WALL STREET JOURNAL.

Arms and the Man

By ERICH EICHMAN

It is odd to think that a man whose face appeared on the cover of Time magazine in 1944, and whose death occasioned a front-page obituary in the New York Times 30 years later, should be all but forgotten today. But such is the fleeting fame of the



Bookshelf

"Endless Frontier"
By G. Pascal Zachary

technocrat. Vannevar Bush was much more than that, of course. He was a pioneering engineer and inventor, an entrepreneur, a visionary and a social philosopher whose "Modern Arms and Free Men" was a 1949 bestseller and whose hymn to science (and appeal for funding), "Science—The Endless Frontier," caused a sensation when it was released in July 1945.

But his glory years were spent in Washington heading up various technocratic entities (the Carnegie Institution, the Office of Scientific Research and Development), advising presidents, pulling strings on Capitol Hill, worrying over funding, and overseeing projects, most notably the secret one that produced the first atomic bomb.

In his way, Bush was a precursor of the "Wise Men," the elite insiders who guided U.S. policy in the postwar years. His influence reached its height under Roosevelt and faded precipitously thereafter, but his concerns—the relation of science to government and the military, its role in society—are still very much with us.

No doubt Bush would have welcomed our computer revolution, for he was essentially an optimist who saw technology as a force for good. Most important, during the crisis years of his greatest prestige and authority—when the country was at war or preparing for it—he argued (presciently, convincingly) that science had something essential to contribute to national defense, especially if civilian researchers were allowed to do their work unmolested by military bureaucracy.

Journal reporter G. Pascal Zachary has brought this able, conscientious, energetic and wrongly forgotten man to life in "Endless Frontier: Vannevar Bush, Engineer of the American Century" (Free Press, 518 pages, \$32.50). A few excerpts:

In the 1930s: "While innovation was clearly becoming corporatized, Bush still believed that the lone researcher often does produce out of thin air a striking new device or combination which is useful and which might be lost were it not for his keenness." Bush was himself just such an irrepressible inventor. While an astute manager of research teams, he often pursued his grandest intuitions alone. Rapid retrieval of personalized data, stereophotography, typography, internal combustion engines and perpetual motion were just a few of his obsessions. For him, inventing was a calling, a way of life."

At the commanding heights: "Intensely self-assured, [Bush] deferred to no one, save Roosevelt and his mentor, Henry Stimson, the secretary of war. In the heat of war, his penchant for barging ahead worked wonders. The military gave more leeway to him than perhaps any other civilian in the war. Members of Congress granted his every request. 'Never once did we ask for funds and fail to secure them promptly.' Bush later boasted. Legislators rarely even questioned him, and when they did the exigencies of war made it possible for him to duck the tough queries anyway. He never flatly refused to satisfy a politician's curiosity, but rather dared him to comprehend the technical and military issues. Most politicos wisely kept their mouths shut."

The response to Bush's 1945 report: "Business Week called Science—The Endless Frontier 'an epoch-making report' that is 'must reading for American business men.' The Washington Post applauded Bush for delivering a 'thorough, careful plan for putting the needed push of the federal government behind our scientific progress.' . . . Only a handful of commentators questioned Bush's basic principle that research deserved broad public funding. The Wall Street Journal, for example, argued that tax incentives could achieve a similar result by inducing private industry to spend sufficiently on research."

After the war: "[Bush] shared with other elitists a stark and not altogether distorted view of American society that pitted sober, pragmatic elites against the untutored, volatile masses. For Bush, Truman and his cronies as well as most congressional leaders clearly fell into the 'masses' category. While Truman delighted in casting himself as an ordinary American, Bush—and other elite leaders—tended to view such citizens as irresponsible and sometimes irrational. The elite assumed that the mass of Americans needed patriarchal authority. In Bush's view, civilian technocrats were the solution to the inherent contradiction between the increasingly complicated problems facing government and the nation's democratic traditions. In practice, this meant that the public must pay for experts to make decisions in its name; these experts would brook little or no interference."

Looking back, in the 1950s: "He wondered whether men could 'live without war.' Now that 'the glamour of war is gone,' he asked whether the kind of direct combat 'that once had a real appeal for the red-blooded man' was obsolete. Others had noted that modern technology had made war impersonal and that the 'virile attributes' of war, which enlivened societies in the past, would have to arise from another source. But Bush's romantic yearning for an earlier stage of combat seemed peculiar given his role in exploiting the very technologies that further dehumanized war."

A vivid tale of an American science czar

By David Wersh
The Boston Globe

Roosevelt called me into his office and said, "What's going to happen to science after the war?" I said, "It's going to fall flat on its face." He said, "What are we going to do about it?" And I told him, "We better do something damn quick."

Those are the words of Vannevar Bush, longtime professor at the Massachusetts Institute of Technology and America's science czar in World War II. They evoke the Washington manners of 1945, when those in positions of responsibility understood that they stood upon a historic stage and spoke such clipped sentences easily.

Bush had served as Roosevelt's science adviser since June 1940, overseeing the development of radar, the computer, the atomic bomb, antibiotics. When Roosevelt asked for a postwar plan, Bush delivered—and in a hurry.

In just four months, he responded with a famous report, "Science: The Endless Frontier," symbolizing the work of a series of blue-ribbon committees. Though much batted over in the corridors of power, it nonetheless became the blueprint for the nexus between government, industry and academia that has lasted to the present day.

More than any other person, it was Bush who designed America's national system of innovation in the post-World War II era. The universities directing basic research, the federal government paying the bills and corporations concentrating on applied research somewhere in between.

This was a good deal more fundamental than, say, thinking up the Interstate highway system or inventing the television networks. It could be argued (leaving democracy aside) that it was the innovation system more than anything else that won the Cold War.

Bush is now the subject of a wonderful new biography by G. Paul Zaloom, "Endless Frontier: Vannevar Bush, Engineer of the American Century." It is a good book, nothing he did was as important as what he

Commentary

accomplished in the years between 1939, when he went to Washington, and 1954, when he left full-time government service and returned to MIT.

Yet even Bush's failure to adjust after those great days underscores the importance of the forces he had set in motion. And in Zachary's hands, the human forces behind the strange twists of technological developments are always available for inspection.

Named for his father's roommate at Tufts College, Bush went to Tufts himself. Afterward, with his Tufts roommate Lawrence Marshall, he started a firm to make radio tubes that they called Raytheon. The firm was a success, but Bush went on to teach electrical engineering at MIT, where he pioneered in developing analog computers. Duty called in 1939.

By far the greatest part of Zachary's book concerns the war years. And here the stories are just too numerous to do more than list. The author's day job is as a reporter for The Wall Street Journal in San Francisco. He has a journalist's eye for color and knack for narrative, plus a historian's ear for deepest concern.

Zachary weaves tales of the Manhattan Project with yarns of Bush's association with the Office of Strategic Services; stories of the FDR cabinet with anecdotes from scoundrel time. (One of his first moments came when he went to bat for Robert Oppenheimer, whom he saw as "victim of technological differences of opinion.")

It turns out to have been a far more complicated world than Bush had contemplated. Battles over federal funding of science are recounted. Bush favored winding down the military's role in funding science at the conclusion of the war; President Harry Truman overrode him in 1945. When the National Science Foundation finally was created five years later, Bush disdained the agency he had imagined. He feared that it was too little, too late.

After leaving government, Bush seemed to shrink in stature. The man, who had marshaled forces on a equal footing

By the 1970s, U.S. Industry found itself in a paradoxical situation: 'Awash in theoretical knowledge, it was starved for the basic processes and products that lead to victories in commercial contests,' according to a new biography of Vannevar Bush.

with Eisenhower, George Marshall and Chester Nimitz suddenly was a voice that found its fullest expression against the new: against guided missiles and satellites, against the race to the moon, against consumerism. He served to good effect on corporate boards, with the pharmaceutical company Merck in particular. His son founded Milipore Filter Co., he himself raised turkeys in New Hampshire.

The world was far more bottom-up than the top-down world he favored, and, according to Zachary, this had deleterious effects on America's competitive position in the world economy. He writes: "The great defect of Science—*The Endless Frontier* was its neglect of industrial innovation." Science was lionized as the source of all progress, invention and commercial engineering were fobbed off as subsidiary concerns. The result was that by the 1970s, U.S. industry found itself in a paradoxical situation: "Awash in theoretical knowledge, it was starved for the basic processes and products that lead to victories in commercial contests." (Oligopolistic market structure may have had something to do with it, too.)

Nobody knows better than Zachary how it was that, in key industries at least, American businesses fought their way back to positions of global supremacy. His first book, "Showstopper: The Breakneck Race to Create Windows NT and the Next Generation at Microsoft" (now undeservedly out of print), is a remarkable chronicle of the development of a major piece of software.

Its putative hero is Dave Cutler, who was born in 1942, when Bush was at the height of his powers in Washington. Yet by

the end of the book, we understand that Cutler (once a top Digital Equipment executive) in his way has been just as effective in welding together a team hell-bent on a fixed objective as was any of Bush's minions in the war—with no higher authority behind Cutler than Bill Gates, the business strategist who built Microsoft on little more than his understanding of what it meant to be the standard.

Gates commands a research and development effort as extensive as any ever commanded by Bush. And the commercialization of research and development that began when International Business Machines moved into computing and American Telephone & Telegraph developed the transistor (and then stood by while Silicon Valley took its development to the next stage) has gone far beyond what he contemplated.

Which just goes to prove the point. Whatever its deficiencies as a plan of action, the outline first sketched in "Science—The Endless Frontier" have evolved into a pretty good map of the territory. The relationships between the regions are better understood. So are the possibilities for failed communication. The boundaries themselves seem a little more finite; the competition for resources a little more intense.

But veterans of a hundred cowboy movies know what happens next. Some guy comes through with a roll of barbed wire or a motor car or a machine gun, and it's off to the races again. The frontier is forever closing, at least as originally understood. And new visitors are opening all the time.

BB.5

San Jose Mercury News, 31 August 1997



VANNEVAR BUSH
AND THE POLITICS
OF SCIENCE

INSIDE
TAPPED OUT: Beer industry's love affair with marketing resulted in some flat sales. Page 4
AUDIO 'AMBUSH': Tom Wolfe's first fiction in a decade travels the recording route. Page 7

S 002140

A well-engineered life

■ Vannevar Bush devised policies that altered our lives

ENDLESS FRONTIER: Vannevar Bush, Engineer of the American Century
By G. Paschal Zachary
Free Press, 490 pp., \$12.50

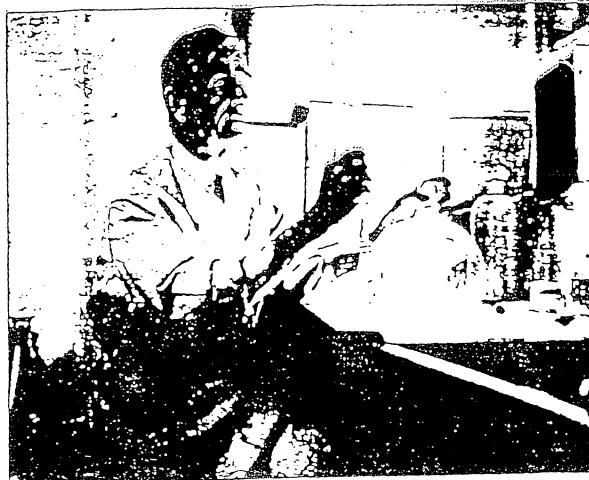
BY PAUL PREUSS

A CHAMPION of scientific expertise in government, Vannevar Bush's name and face were all over the covers of Time and Fortune and Newsweek in the 1940s, but today — except for the mistaken impression that Bush foresaw the personal computer and the Internet — few remember him. Wall Street Journal reporter G. Paschal Zachary has performed a valuable service with this admirably detailed biography of a man who not only was the 20th century's leading American engineer, but who in a real sense engineered the American century.

How should history judge a man who described many of features of the PC in 1945 and inspired the pioneers of the personal computing movement, but who disparaged digital electronic computation? Bush built an enormous mechanical computer of brass and steel, known as a differential analyzer, as early as 1931. Although he helped found Raytheon in 1924 to manufacture better and cheaper electronic tubes for radios, he never lost his affection for analog computing machines. The memory in Bush's proposed desk-sized "memex" (never built) would have consisted not of magnetic tape or disks but of reels of microfilm.

How should we assess the vision of someone who headed NASA's predecessor organization, the National Advisory Committee for Aeronautics (one of his first acts was to establish a research center in Sunnyvale), but who thought rocketry was a waste of time and did his best to discourage the development of satellites, intercontinental ballistic missiles and moon rockets?

The muddle years of the century, the years of World War II when Bush was at his acme, were a fulcrum for our national values, our self-image and our conception of ourselves as a distinctive people in the world. Like his times, Bush was a mass of questions and contradictions. He founded the Office of Scientific Research and Development (OSRD) and fought savage bureaucratic battles with Army and Navy brass to persuade them to invest in weapons



ASSOCIATED PRESS/WIDE WORLD — FROM ENDLESS FRONTIER

Vannevar Bush, shown here in 1942, was a high-profile engineer during World War II.

development. Because of Bush, American radar helped sweep U-boats from the sea, and the proximity fuze made anti-aircraft guns and artillery devastatingly effective.

At first Bush opposed nuclear research, thinking the prospects for a bomb "remote from a practical standpoint." He ended up launching the Army's Manhattan Project. What to think of a man who advised dropping the bomb on Japan, then wanted to share

nuclear secrets with the Soviet Union — and who staunchly opposed the development of the H-bomb?

He sounds almost liberal. Not at all. Bush was so conservative he distrusted democracy. Although he was one of Franklin Delano Roosevelt's greatest admirers and closest advisers, he thought the president should be relieved of his burdens by delegating power to a committee of technical experts. During the Communist witch

Vannevar Bush set up a laboratory in his home when he was a boy

KRT — AP/WIDE WORLD



hunts after the war, Bush failed to defend the distinguished scientist E.U. Condon, under attack by the House Un-American Activities Committee, noting that "Commie infiltration constitutes a genuine menace in this country."

A Red baiter, then? Not that easy: He was one of Robert Oppenheimer's staunchest defenders at the 1954 AEC security hearings and a scathing critic of Joseph McCarthy. In 1967, Bush recalled, "Good Lord, I worked with Hoover, Truman, Eisenhower, Roosevelt, Kennedy, and I don't think any of them ever knew what my political philosophy was or were in any way interested in it."

Born in 1880 in Chelsea, Mass., the son of a Protestant minister, Bush began his inventing career while a student at Tufts College, where he earned a patent on a sort of analog computer mounted on a wheelbarrow, a surveying device. After graduate school at the Massachusetts Institute of Technology, he eventually became a professor there, and by 1932 he was MIT's vice-president. Washington, D.C. proved to be but a short step away.

Bush advocated civilian control over military research, but through the OSRD and other organizations he did more than anyone else to establish the military-industrial complex. After the war, his opposition almost sunk the National Science Foundation and the civilian-controlled Atomic Energy Commission (today's Department of Energy) — and each had been his own brainchild! Bush was a masterful politician who could threaten and cajole and occasionally deceive to get what he wanted, but he had no constituency except scientists and engineers; having lost the support of younger scientists, his power quickly slipped away.

Virtually discarded by government leaders after World War II, Bush kept an office at MIT and died at home in 1974 at the age of 84. "In hindsight, how does one judge Vannevar Bush?" Zachary asks. "Right or wrong? Good or bad? Success or failure? Such questions certainly would strike Bush as absurd.... His was a life not of looking back, but of charging ahead." Maybe a full reckoning of his importance isn't possible. Bush himself liked to say, "It is earlier than we think." ■

Paul Preuss' new novel is "Secret Passages."

IEEE Spectrum, March 1998

books

He who swayed the world

GER MORGAN

ask most electrical engineers to list who did most to shape the second half of the 20th century, we are likely to include one of their Vannevar Bush, professor of engineering at the Massachusetts Institute of Technology (MIT), co-founder of Raytheon Corp., and civilian director of massive U.S. R&D effort during

World War II. Yet the development of radar, the proximity fuse, anti-submarine warfare, countless other innovations played the decisive role in tipping balance of the war to the sides and, in the longer run, inuring democracy as the preferred form of government for centralized states at the close of century.

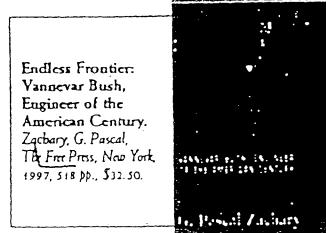
Bush was born in 1890 in a just north of Boston, where his father was a Universalist minister, and he grew up in a nearby community to which the family moved in 1902. He was a strong-willed young man, a "spark of belligerency," who from time endured bouts of illness. He wed great promise in mathematics and science, and perhaps just as important, proved adept at building things with hands.

Biographer G. Pascal Zachary, a senior writer for the *Wall Street Journal*, explains it in "tinkering in his basement, Bush turned an activity with many brainy, middle-class boys around the country. The romance of invention...was contagious...and Bush realized that the path of the vendor offered him perhaps the only chance of achieving conventional success without sacrificing his maverick leanings."

In 1909, when Bush graduated from Heseltine High, he was an independent-minded, politically conservative middle-class New Englander. He was "impatient with pomp," Zachary reports, an "outsider who resented the elite of society but hungered for recognition too." He went to Tufts University, in Boston, where he earned bachelor's and master's degrees in engineering. On one occasion, he read the textbook for a course in advanced and asked the professor if he could cut classes to make some time available for other things, and just take the final exam when it occurred. The professor instead gave him the test on the spot—Bush passed and was granted credit.

After working briefly at General Electric Co., Bush entered a doctoral program at Clark University but then transferred to MIT, where he completed a thesis in the new electrical engineering department in less than a year. In 1916 he accepted a job at Tufts and, in parallel, took a position as laboratory director for American Radio and Research Corp. (Amrad). Three years later he moved to the electrical engineering department at MIT, where he expanded his program of research and industry consulting.

Bush's work at Amrad eventually con-



tributed to the establishment of a new company, Raytheon Corp., which grew rapidly, supplying vacuum tubes for the consumer radio market. Bush prospered along with it.

In 1932 Karl Compton, MIT's new president, made Bush vice president and dean of engineering. While the position gave him wide administrative responsibilities and greater exposure on the national scene, it did not end his research activities or consulting. Much of his research at MIT focused on analog mechanical computing machines (termed "differential calculators") and on "rapid selectors" for searching large physical files (such as banks of microfilm).

As the risk of war grew in the late 1930s, Bush became concerned with laying the R&D foundation for a conflict whose outcome, he believed, would be determined by technological prowess. He had already begun to expand his activities in Washington, D.C., when in early 1939 he was named to head the prestigious Carnegie Institution of Washington, a position that provided the springboard that soon vaulted him to the pinnacle of power.

Bush's appointment in 1940 to chair the National Defense Research Commission (NDRC), which was later transformed into the powerful Office of Scientific Research and Development (OSRD), resulted from vision, good ideas advanced

books

at just the right moment, the right friends, and superb salesmanship combined with technical accomplishment and great administrative skill. Bush built an organization that, while coordinating with the uniformed military services, defined its own research priorities and ran its own show with minimal oversight by the President and Congress.

Bush pioneered new contracting methods that mobilized the nation's top scientists and engineers, with minimal red tape, to address key problems, often in their own laboratories. By 1944 OSRD was spending \$3 million a week on 6000 researchers at more than 300 industrial and university labs. This count does not include the building of the atomic bomb by the Manhattan Project, over which Bush had responsibility through different administrative arrangements.

Readers unfamiliar with the critical role played by Bush and the OSRD in the war effort will find the central 150 pages of Zachary's biography an exciting and invaluable introduction. Details of Bush's skillful wooing and bullying of military leaders such as Admiral Ernest J. King are particularly interesting. I would have preferred a few more technical details, but except for confusion between the capabilities of the German V1 and V2 weapons, those provided are accurate.

Accustomed to wielding great power with remarkably little accountability, in the post-war era Bush found it difficult to adjust to the reemergence of politics-as-usual and bureaucratic regulation. He strongly supported the atomic bomb he had helped create, but he also recognized that the bomb had changed the world, and worked hard, if without much success, to put in place an international regime to manage this threat to security. On the other hand, he was slow to recognize the great strategic importance of ballistic missiles and the military uses of space. This blind spot worked to erode his standing with post-war military leaders.

Bush is widely credited with being the father of the social contract that guided post-war R&D in the United States. He was the principal author of the report, "Science the Endless Frontier," which today is perhaps the most venerated, if rarely read, icon in Federal science and technology policy circles. Zachary's account makes it clear that while many of the ideas that led to the post-war system of Federal R&D originated with Bush, and with OSRD contracting experience, Bush by no means deserves all the credit. Indeed, his strong will, plus his failure to understand the changing political landscape, did much to delay the creation of the National Science Foundation.

In Zachary's account, Bush is an immensely impressive man to whom the country and the Western world owe a great debt of gratitude. He was also human, with an ego, a strong and sometimes abrasive style, and other failings and limitations. These are recognized with an honesty that in no way detracts from Bush's great achievements as an engineer, as an entrepreneur, and as an excellent R&D administrator.

Most of the "big names" in U.S. science and technology policy have started out in science, especially physics. But this fascinating and well-written biography is a reminder that one of the greatest of them all, and perhaps the most influential, was an electrical engineer.

Granger Morgan is the Lord Chair Professor of Engineering at Carnegie Mellon University, Pittsburgh, where he also is head of the department of engineering and public policy and a member of the faculty in electrical and computer engineering.

15 November 1996

Proposals for discussion at Physics Today retreat

The following proposed agenda items are in the spirit of Steve's invitation to put our concerns "on the table." This list was put together by some of the staff, based on discussions among staff members. The theme of these proposals derives from the main points raised by the Physics Today advisory committee: openness, staff empowerment and editorial efficiency. The proposals address issues that are very important to at least some of the staff, and they are intended to provide a basis for discussion. Each proposal is subject to adoption, modification or rejection during the retreat. PLEASE ADD TO THE LIST.

1. Agreement that we want to keep all the present staff members.
 - Security is a prerequisite for speaking freely, sharing ideas and experimentation.
2. Openness.
 - Recognize that all staff members are legitimately concerned about all aspects of the magazine -- both content and process.
 - Proposed changes in magazine's content or process should be announced to the staff and discussed.
 - Make letters to the editor available to all staff.
3. Volunteer reporters -- a staff-based information system.
 - Reporter gathers and disseminates information on progress toward agreed-upon goals. Not intended to replace management's information system. (Example: reporting on progress toward hiring someone to categorize books.)
4. Problem resolution: Editorial and other.
 - Editorial judgment: Burden of proof on critic.
 - In disputes, staff members are encouraged to consult others on staff.

5. Distribute work according to staff interest.
 - Adjust job descriptions of yet-to-be-hired editorial and secretarial staff members based on current staff interests.
6. Physics Today management should act in a way that leads staff to see them as their advocates rather than as the local representatives of higher management.
 - Advocates in editorial controversies.
 - Advocates in annual reviews.
7. Voluntary staff participation in hiring.
 - Participate in writing job advertisements.
 - Examine resumes.
 - Talk to candidates.
 - Offer recommendations.
8. Take affirmative action to increase diversity of Physics Today staff.
9. Allow staff to solicit outlines for articles.
10. No need for detailed schedules.

(Distribution: All PT staff and managers.)

5 November 1997

Marc,

Thank you for asking me to meet with you today about my statement to the Physics Today advisory committee that the magazine has failed to live up fully to its claim that it is an affirmative-action employer.

I am taking this opportunity to outline the history of the issue at the magazine and to discuss the important difference between equal opportunity and affirmative action.

At a November 1996 Physics Today meeting, some of us on the staff raised the issue of affirmative action and the lack of diversity at the magazine. Several weeks earlier, one of the Physics Today editors had submitted his resignation, thus presenting us with an immediate opportunity to work toward correcting the problem. At the meeting, I said I would help monitor the situation in the future, as did Jean Kumagai, who is the only minority among the 18 individuals who work at Physics Today.

On 14 April 1997 the Physics Today staff learned that out of the 85 applicants for the editorial opening at the magazine, three had been selected to come in for interviews -- all white males. Among the 85 applicants were a number of potentially qualified minorities and women. Jean and I argued that if Physics Today were truly committed to affirmative action, it would also bring in some of these applicants. That could have been done easily, but Charles Harris and Steve Benka refused, saying that it was not worth the delay of a week or so that it would cause. We felt that this revealed Physics Today's priorities (and AIP's, too, because Charles had told us that he had discussed the institute's affirmative action policy with Terri Braun after the November 1996 staff meeting), and that affirmative action clearly was low on the list.

The decisive factor turned out to be that while Charles believes in equal opportunity, he does not believe fully in affirmative action. He told me, for example, that he would not hire a minority who is qualified to do the job unless that individual was more qualified than all 84 of the other candidates. Such a policy can lead to an all-white staff even though many minorities are qualified to do the work. For reasons outside of our immediate control, qualified minorities are less likely to have credentials beyond those needed to do the work. Thus, the qualified minorities are passed over in favor of white applicants who have such superfluous credentials. The result is a staff that doesn't look like the population of people who are qualified to do the work. Thus the Physics Today staff does not look like the physics community, the journalism community, the Washington community or the nation as a whole. As long as Physics Today fails to embrace affirmative action, minorities will continue to be in the subset of applicants

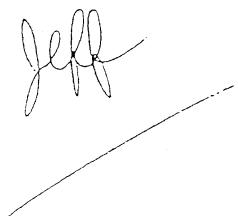
deemed qualified to do the job, but rarely among those actually hired. Thus "equal opportunity" amounts to a de facto "whites only" hiring policy at Physics Today. Historically, affirmative action was instituted to overcome this shortcoming of equal opportunity.

Charles also told me that staff diversity is of no value to the magazine -- except to make the office a more interesting place to work. Therefore the fact that a particular job candidate would contribute to the diversity of the staff counts for nothing, he said.

My own concern about affirmative action at Physics Today was heightened when AIP and the magazine relocated from New York City to College Park four years ago. To fill the editorial openings created by the move, the magazine hired three individuals, all white males -- Ray Ladbury, Denis Cioffi and Steve Benka. None of the three had any journalism experience, but the magazine was willing to train them. (One could view this as an affirmative action program for white males.) If the magazine is willing to hire and train potentially qualified whites, then why not do that for minorities, too?

The managers at Physics Today made two token gestures in response to the pressure that we applied: They told a few organizations of minority scientists about the job opening, and, after they filled the position with a white male, they phoned a few of the minorities whom they had judged to be "promising candidates."

Ever since my disagreement with Charles over affirmative action at Physics Today, he has treated me a little bit like an unwelcome troublemaker. You should be able to verify any point that I have made in this note without attributing it; by doing it that way, you can avoid exacerbating this problem.

A handwritten signature in black ink, appearing to read "Jeff". It is written in a cursive style with a diagonal line underneath it.

**AMERICAN
INSTITUTE
OF PHYSICS**

38

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1996 AFFIRMATIVE ACTION PROGRAM

FOR

AMERICAN INSTITUTE OF PHYSICS

Program completed by:

Theresa L. Braun

Theresa Braun
Director of Human Resources and
EEO Coordinator

Address:

One Physics Ellipse
College Park, MD 20740-3843

Program approved by:

Marc H. Brodsky

Marc H. Brodsky
Executive Director/CEO

This Affirmative Action Program is effective from January 1, 1996 to December 31, 1996.

Member Societies:

The American Physical Society
Optical Society of America
Acoustical Society of America
The Society of Rheology
American Association of
Physics Teachers
American Crystallographic
Association
American Astronomical Society
American Association of
Physicists in Medicine
American Vacuum Society
American Geophysical Union

S 002147

39
INTER - OFFICE MEMORANDUM

July 11, 1996

TO: Theresa C. Braun
FROM: Melinda Underwood *MU*
SUBJECT: Affirmative Action--1995

Below are the area in which AIP had underutilization in 1995:

Senior Managers	Female and Minority Underutilization
Senior Professionals	Female Underutilization
Other Professionals	Minority Underutilization

Let me know if you want to develop a narrative discussion of goals for the Affirmative Action Plan for 1996-1997.

S 002148

The American Institute of Physics--Discussion of Goals (1995)

After analyzing our Affirmative Action plan and looking at the utilization analysis, it has come to the attention of the American Institute of Physics (AIP) that underutilization of minorities and females exist in the following job group:

Senior Managers (101) Female and Minority

Sr. Professionals (201) Female

Other Professionals (202) Minority

The American Institute of Physics has been and will continue to be an equal opportunity employer. Our goals for increasing utilization of the above groups will include:

- ▶ Broadening the scope of our recruiting efforts. This will include expanding our recruiting outlets and resources such as utilizing the Internet, Department of Labor, and community resources for job postings.
- ▶ Exploring diversity training and continue to monitor hiring process. AIP is looking into offering diversity training for hiring managers and supervisors.
- ▶ Examining and identifying internal candidates for open positions and career development. This will include continuing cross job training, development of skills, and promotion of existing tuition reimbursement program.

RESPONSIBILITY FOR IMPLEMENTATION

A. Executive Management Responsibility

As the representative of executive management, the EEO Coordinator has primary responsibility and accountability for implementing, directing and monitoring this Affirmative Action Plan.

1. Implementing the affirmative action programs set forth in this Plan, including the development of policy statements and related internal and external communication procedures to disseminate those policy statements.
2. Developing and supervising the presentation of our equal employment opportunity policy during the supervisory training and new employee orientation programs, which may include question-and-answer sessions for supervisors and employees answering their questions about this Affirmative Action Plan.
3. Designing and implementing an audit and reporting system that will accomplish the following:
 - (i) Measure the effectiveness of our affirmative action programs.
 - (ii) Indicate when remedial action is needed.
 - (iii) Determine the degree to which our goals and objectives have been attained.
4. Advising management and supervisory personnel on developments in the laws and regulations governing equal employment opportunity.
5. Serving as liaison between the Company and all enforcement agencies.
6. Identifying problem areas and establishing goals and objectives to remedy underutilization in major job groups, if any underutilization exists.
7. Conferring with community organizations representing women, minorities, veterans, the disabled and older workers.

8. Auditing periodically our on-the-job training, hiring and promotion patterns to remove impediments to attainment of the Company's goals and objectives.
9. Rating supervisory employees based, in part, upon their efforts and success in furthering the goal of equal employment opportunity, and informing supervisory employees of this evaluation practice.
10. Discussing periodically the Company's commitment to equal employment opportunity with managers, supervisors, and employees. During these discussions, the EEO Coordinator will stress the importance of affirmative action, as well as nondiscrimination.
11. Reviewing the qualifications of all employees to insure that minorities and women are given full opportunities for transfers, promotions and training.
12. Providing access to career counseling for all employees.
13. Conducting periodic audits to ensure that the Company is in compliance with federal and state laws and regulations requiring:
 - (i) Proper display of posters explaining the Company's obligation to engage in nondiscriminatory employment practices.
 - (ii) Integration of all facilities which we maintain for the use and benefit of our employees.
 - (iii) Maintenance of comparable facilities, including locker rooms and rest rooms, for employees of both sexes.
 - (iv) Providing full opportunity for advancement and encouraging minority and female employees to participate in educational, training, recreational and social activities sponsored by the Company.
14. Counseling supervisors and managers to take actions necessary to prevent harassment of employees placed through affirmative action efforts and to eliminate the cause of such complaints. Further, the EEO Coordinator will

counsel supervisors and managers not to tolerate discriminatory treatment of any employee by another employee or supervisor and to report all complaints or incidents to him.

15. Establishing an internal complaint system that will enable employees to discuss complaints with the EEO Coordinator whenever they feel that they are being discriminated against on the basis of race, color, religion, sex, national origin, disability or veterans' status.
16. Serving as liaison between the Company and community organizations representing minorities, women, veterans, the disabled and older workers.
17. Developing expertise and knowledge of equal employment opportunity guidelines and regulations in order to advise and update top management and supervisory personnel concerning developments affecting our equal employment opportunity program.

B. The Responsibilities of Supervisors and Managers

All supervisors and managers must share in the day to day responsibility for implementing the affirmative action programs set forth in this plan. Specifically, they must endeavor to:

1. Respond to inquiries about our Affirmative Action and Equal Employment Policy, after consulting with our EEO Coordinator.
2. Assist our EEO Coordinator during the investigation of allegations of discrimination.
3. Participate in recruitment and accommodation efforts designed to enable disabled individuals, disabled veterans and others to secure employment and to advance to positions for which they are qualified.
4. Ensure that all federal and state posters explaining the laws prohibiting discrimination are properly displayed.
5. Participate in the development and implementation of affirmative action programs.

DISSEMINATION OF EQUAL EMPLOYMENT POLICYI. Internal Dissemination

The Company will take the following actions to disseminate its Affirmative Action and Equal Employment Policy, as appropriate, on a regular and continuing basis.

A. Including the Affirmative Action and Equal Employment Opportunity Policy statement in its policy manual and employee handbook, as published. A copy of our EEO Policy, which is contained in our Employee Handbook, is attached at the end of this section.

B. Meeting with supervisory personnel to explain the intent of the Affirmative Action and Equal Employment Policy and their individual responsibilities for its implementation. We conducted supervisory training for all management about equal employment opportunity, affirmative action and sexual harassment during Plan Year 1995 and have continued the training into Plan Year 1996. We have attached information relating to our supervisory training at the end of this section.

C. Scheduling special meetings with employees or using Company newsletters to discuss and explain individual employee responsibilities or opportunities under the affirmation action program. During the current plan year we will be conducting

training for all employees about our affirmative action program and equal employment opportunity in the workplace.

D. Discussing our equal employment policy during any orientation programs we hold, at which time all new employees (and if applicable, transferred and promoted employees) will be advised of our commitment to affirmative action and equal employment opportunity. Our Affirmative Action and Equal Employment Opportunity Policy statement and policy statements affirmatively supporting the employment of minorities, veterans, the disabled and women will be explained during these sessions. During these orientation sessions a management representative from various areas of the Company, including Human Resources, explains the function of their department. Our Affirmative Action and Equal Employment Opportunity Policy statement and policy statements affirmatively supporting the employment of minorities, veterans, the disabled and women are explained during these sessions. We have attached at the end of this section an "Overview of New Employee Orientation Process", which includes a copy of our "New Employee Checklist," and addresses equal employment opportunity and affirmative action in the workplace.

E. Posting the Affirmative Action and Equal Employment Policy, along with all required State and federal informational posters, on our bulletin boards, and updating such posters as required. Our "Affirmative Action and Equal Employment Opportunity Policy Statement", "Invitation to Vietnam Era and

IDENTIFICATION OF PROBLEM AREAS (DEFICIENCIES)
BY ORGANIZATIONAL UNIT AND BY JOB GROUP

I. UNDERUTILIZATION

The EEO Coordinator conducted a Utilization Analysis for the 1996 Plan Year in which she compared the workforce representation of minorities and females to their statistical availability by job group. The Utilization Analysis led the Company to identify the following areas of underutilization:

Females are statistically underutilized in job groups 101 (Senior Managers) and 201 (Senior Professionals).

Minorities are statistically underutilized in Job Group 202 (Other Professionals Technicians).

The Company is addressing these potential problem areas by establishing goals which we will attempt to achieve through specific action oriented programs, which are described in the section of this plan entitled "Action Oriented Programs." Our Utilization Analysis and Goals are contained behind the tabs, so named, in this affirmative action plan.

II. ADVERSE IMPACT

To determine if our selection procedures have an adverse impact upon minorities and females during the first six months of our 1996 Plan Year, we conducted an adverse impact analysis upon our selection decisions. We compared the selection ratios of minorities and females to those of non-minorities and males, respectively, in the areas of hiring, promotion and termination. Through this analysis we discovered no areas for this time period of statistically significant adverse impact.

As a result of our adverse impact analysis, we examined each of the selection decisions that occurred in job groups where adverse impact was discovered as described in the Action Oriented Programs section of our plan. Furthermore, a full impact ratio analysis of our selection decisions and a narrative discussion of the legitimate business reasons supporting our decisions is found behind the "Jaar Analysis, Impact Ratio Analysis and Placement Analysis" tab.

III. IN GENERAL

In addition to the above, the EEO Coordinator will, on an annual basis, as applicable, identify potential problem areas in the total employment process, which may include review of the following areas:

- A. Composition of the workforce by minority group status and sex.

- B. Composition of applicant flow by minority group status and sex.
- C. Overall employee selection process including position specifications, application forms, interviewing procedures, test administration, test validity, referral procedures, final selection process, and other employee selection procedures.
- D. New hires, promotions, terminations, etc.
- E. Utilization of training, recreation and social events and other programs that are sponsored by the Company.
- F. Technical phases of compliance with laws prohibiting discrimination in employment and promoting affirmative action programs, e.g., retention of applications, notifications to subcontractors, etc.
- G. "Underutilization" of minorities or women in specific job groups.
- H. Lateral or vertical movement of minority or female employees occurring at a lesser rate than that of non-minority or male employees.
- I. The selection process eliminating a significantly higher percentage of minorities or women than non-minorities or men.
- J. Application and other preemployment evaluation forms or procedures not in compliance with federal or state law.
- K. Position descriptions inaccurate in relation to actual functions and duties of that particular job.
- L. De facto segregation, by race or sex, existing in job titles or job groups.
- M. Seniority provisions contributing to overt or inadvertent discrimination by minority group status or sex.
- N. Non-support of our affirmative action and equal employment programs and policies by managers, supervisors or employees.
- O. Minorities or women significantly underrepresented in training or career improvement programs.
- P. Lack of formal techniques for evaluating effectiveness of the programs set forth in this Plan.

From: Susan Funk
To: SBENKA, JBARKER, GCOLLINS, PELLIOU, TFEDER, CHARRI...
Date: 18 Sep 1997 (Thu) 13:29
Subject: Additional Agenda items...

I have been asked to e-mail this to all of you.

-- Susan

Here are some critical topics we would like to see on the agenda for next week's Content Retreat.

(1) Revised editorial structure: implementation of the long-deferred editorial board to increase staff's participation in editorial function and decision making.

While some may regard this as "process" and not a valid part of this "content" retreat, this step is essential for any meaningful changes in content to be successfully implemented. PT has a highly talented staff that is frustrated by the current structure, which prevents the staff from making a significant and ongoing contribution to enhancing the magazine's quality. Implementing the editorial board is the best way to make the magazine's content more timely, lively, and interdisciplinary.

All the editorial staff should be part of the editorial board.

(2) Revised outlook: an outlook that is more independent, more daring, more thought-provoking, more representative of diverse views in the physics community, more appealing to younger readers, more responsive overall not just to our current readers but to the additional readers we would like to have, more competitive.

(3) Added functions: to provide a forum for debate, to discuss openly issues relevant to the physics community (including controversial or contentious ones), to underscore the social context and relevance of physics.

(4) Added department: creation of "reader viewpoint" feature in which PT publishes reader responses to questions formulated by the staff.

How this would work: In one issue we publish the topic on which we want readers to give their opinions. In a later issue, we publish a representative sampling of those opinions. Such a feature would create a lot of reader interest and could play a valuable role in the society of physicists. Our topics and the subsequent opinions could become the talk of physics coffee rooms and pre-colloquium gatherings.

(5) Revised departments: discontinue reporting of awards and job changes.

The undersigned believe that it is essential that these topics be discussed at the content retreat.

Judy Barker, Graham P. Collins, Chas Day, Paul Elliott, Toni Feder, Jean Kumagai, Elliot Plotkin, Jeff Schmidt.

16 March 1998

Dear Graham,

At the Physics Today staff meeting on 3 March, the editor announced your upcoming departure and called it simply "the big news." We found that characterization offensively neutral. The resignation of a dedicated, long-time staff member is not just "news"; it is a huge loss for both the staff and the readers of the magazine, and it is a failure on the part of the magazine. We are extremely sorry you are leaving Physics Today.

The fact that those in charge are not encouraging you to reconsider is consistent with their behavior toward you over the months, and it leads us to believe that they are not 100% unhappy about your resignation. We think they are fully aware and appreciative of your extraordinary dedication and hard work. But we think they nevertheless have mixed feelings about your presence on the Physics Today staff because you have been an outspoken voice for change at the magazine. We share your frustration over management's continued resistance to badly needed improvements, and so we find your decision to resign quite understandable. Nevertheless, we are sorry to lose you.

Of course, driving away people who point out problems will make for a seemingly smoother operation. But such maintenance of appearances comes at a very high price, because problems that are not clearly exposed cannot be adequately addressed or corrected. We have all seen this in the grossly mismanaged effort to prepare the 50th anniversary issue of the magazine. After each of the many meetings that we have had on this special issue -- meetings at which staff suggestions have been routinely ignored and important decisions routinely deferred -- staff members have whispered to each other privately, in the strongest possible terms, about the absurd amount of time and money being wasted. Nearly everyone agrees that the effort is being grossly mismanaged, but because no one has felt safe enough to bring the matter out into the open at a meeting, there has been no real discussion of how the effort could be better organized and executed. And so after all this time the managers have done nothing to improve the way it is being managed.

During the past year, Physics Today management has moved toward a more repressive work environment and toward a love-it-or-leave-it policy. As you know all too well, there is now much less pretense that "improve it" is a realistic option. Management has become suspicious of anything that could lead to change, and they act against it no matter what the cost to morale or to the readers and the physics community. Take, for example, Steve Benka's recent order forbidding private conversations between staff members at work and declaring that all conversations between staff members must be open to management supervision. Although

Charles Harris later told someone on the staff that this totalitarian measure would not be enforced, it has not been officially retracted, and so the chill remains.

Almost four months ago the Physics Today advisory committee warned that "PT could experience severe losses in its editorial staff if morale issues are not being addressed or are being addressed in a cursory manner. This issue needs continued and heightened attention from management." Physics Today management chose to ignore this warning, and now with your departure we are suffering the predicted consequence. (The magazine's loss of Susan Funk, who quietly cleaned out her desk on Friday 6 March and never came back, was also the result of frustration, we think, with the impediments to fashioning her editorial assistant position into something more than a dead-end job.)

Those in charge should not forget that Physics Today is a trust of the physics community. To needlessly lose dedicated and experienced staff members, especially those who make the extra effort to improve the magazine and the workplace, is to squander the physics community's valuable resources.

We hope some way will be found to keep you at Physics Today, although we realize that this is unlikely to happen. We have been fortunate to have you as a colleague, and we gained much from your honesty and insight. We hope you keep up the spirit in whatever you do.

Memo to American Institute of Physics Executive Director and CEO
Marc H. Brodsky. I included a copy of this memo in my 27 April 1998
5 November 1997 communication with the Physics Today staff.

Marc,

Thank you for asking me to meet with you today about my statement to the Physics Today advisory committee that the magazine has failed to live up fully to its claim that it is an affirmative-action employer.

I am taking this opportunity to outline the history of the issue at the magazine and to discuss the important difference between equal opportunity and affirmative action.

At a November 1996 Physics Today meeting, some of us on the staff raised the issue of affirmative action and the lack of diversity at the magazine. Several weeks earlier, one of the Physics Today editors had submitted his resignation, thus presenting us with an immediate opportunity to work toward correcting the problem. At the meeting, I said I would help monitor the situation in the future, as did Jean Kumagai, who is the only minority among the 18 individuals who work at Physics Today.

On 14 April 1997 the Physics Today staff learned that out of the 85 applicants for the editorial opening at the magazine, three had been selected to come in for interviews -- all white males. Among the 85 applicants were a number of potentially qualified minorities and women. Jean and I argued that if Physics Today were truly committed to affirmative action, it would also bring in some of these applicants. That could have been done easily, but Charles Harris and Steve Benka refused, saying that it was not worth the delay of a week or so that it would cause. We felt that this revealed Physics Today's priorities (and AIP's, too, because Charles had told us that he had discussed the institute's affirmative action policy with Terri Braun after the November 1996 staff meeting), and that affirmative action clearly was low on the list.

The decisive factor turned out to be that while Charles believes in equal opportunity, he does not believe fully in affirmative action. He told me, for example, that he would not hire a minority who is qualified to do the job unless that individual was more qualified than all 84 of the other candidates. Such a policy can lead to an all-white staff even though many minorities are qualified to do the work. For reasons outside of our immediate control, qualified minorities are less likely to have credentials beyond those needed to do the work. Thus, the qualified minorities are passed over in favor of white applicants who have such superfluous credentials. The result is a staff that doesn't look like the population of people who are qualified to do the work. Thus the Physics Today staff does not look like the physics community, the journalism community, the Washington community or the nation as a whole. As long as Physics Today fails to embrace affirmative action, minorities will continue to be in the subset of applicants

deemed qualified to do the job, but rarely among those actually hired. Thus "equal opportunity" amounts to a de facto "whites only" hiring policy at Physics Today. Historically, affirmative action was instituted to overcome this shortcoming of equal opportunity.

Charles also told me that staff diversity is of no value to the magazine -- except to make the office a more interesting place to work. Therefore the fact that a particular job candidate would contribute to the diversity of the staff counts for nothing, he said.

My own concern about affirmative action at Physics Today was heightened when AIP and the magazine relocated from New York City to College Park four years ago. To fill the editorial openings created by the move, the magazine hired three individuals, all white males -- Ray Ladbury, Denis Cioffi and Steve Benka. None of the three had any journalism experience, but the magazine was willing to train them. (One could view this as an affirmative action program for white males.) If the magazine is willing to hire and train potentially qualified whites, then why not do that for minorities, too?

The managers at Physics Today made two token gestures in response to the pressure that we applied: They told a few organizations of minority scientists about the job opening, and, after they filled the position with a white male, they phoned a few of the minorities whom they had judged to be "promising candidates."

Ever since my disagreement with Charles over affirmative action at Physics Today, he has treated me a little bit like an unwelcome troublemaker. You should be able to verify any point that I have made in this note without attributing it; by doing it that way, you can avoid exacerbating this problem.



204

B

6 JUNE 88

GLORIA,

MY VACATION PLANS ARE FOR 25 JULY 88 THROUGH 10 AUG. 88,
A TOTAL OF 13 VACATION DAYS.

Jeff

D00009

Conv w/ Gregory Benford 10/26/69

I was on Jeff Schmidt's thesis committee. He asked that I be removed from his committee cuz I was ideologically opposed.

J.S. led a group that tried to get a posthumous Ph.D. We failed.

J.S. was actually pretty good at physics. He believes in revolution in all contexts.

PHYSICS TODAY

January 27, 1995

JOB DESCRIPTION

Initials: JS
Job title: Editor
Branch/Division: Physics Programs/*Physics Today*
Reports to: Editor

BRIEF DESCRIPTION OF JOB DUTIES:

Take responsibility for assigned articles, dealing with authors and reviewers; edit the articles

ESSENTIAL FUNCTIONS:

1. Edit feature articles in conjunction with authors; negotiate for artwork; monitor articles through production
2. Take responsibility for assigned articles; this includes reviewing the article, obtaining an outside review and conveying recommended revisions to the author
3. Review feature articles and letters to the editor
4. Provide editorial support through staff discussions, reading and traveling to keep abreast of the field and offering suggestions for articles and stories.

QUALIFICATIONS:

Graduate level training in physics or other physical science; several years' experience in editing or writing for a scientific or technical magazine

D00030

24 Aug. 92

Ken —

I'd like to take a 15-working-day vacation starting

16 Nov. 92.

Jeff

D00090

March 92

5950 Date MS given to JS 3/6/92

Date review was ref'd 4/14/92 - (1 month +

5953 Date MS given to JS 3/6/92

Date review was ref'd 3/26/92 (few weeks)

MSs given to JS

April 92

5995 Date MS given to JS 4/9/92

Date review was ref'd 7/13/92 (3 months, few

6014 Date MS given to JS 4/9/92

Date review was ref'd 5/20/92 (1 month, ~2 wks

6030 Date MS given to JS 4/13/92

Date review was ref'd 4/28/92 (~2 weeks)

6036 Date MS given to JS 4/27/92

Date review was ref'd 5/29/92 (1 mth, 2 days)

May 92

6052 Date MS given to JS 5/5/92

Date review was ref'd 7/16/92 (2 mths ~2 wks.

6053 Date MS given to JS 5/4/92

" " " 5/4/92 (same day)

" "

" " "

June 1992

6114 Date MS given to JS 6/19/92 Date review was ref'd 8/4/92 (1 mth & a half)

6114 " (revision) 7/2/92 " " 8/4/92

July 1992

7080 Date MS given to JS 7/9/92 Date review was ref'd 7/17/92 (1 wk & a half)

7133 Date MS given to JS 7/8/92 MS was assigned to JS and published 10/1/92

7051 " " " 7/20/92 Date review was ref'd 10/22/92 (3 mths & 2 days)

August 1992

(Published)

7178 Date MS given to JS 8/4/92 MS was retrieved from him and given to someone else

7115 " " " 8/28/92 MS was assigned to JS and published 11/1/93

D00093

(13)

September 1992

0245 Date MS given to JS 9/14/92 (retrieved and given to someone else) Published Dec

January 1993

0404 Date MS given JS 1/25/93 ~~Debbie ret'd~~ JS still has this

The period between September '92 and January '93, JS
has been assigned to edit articles (Special issues)

February 1992

5937 Date MS given to GC 2/19/92 Date MS was ret'd 2/19/92 (Same day)

March 1992

5950 Date MS given to GC 3/31/92 Date MS was ret'd 4/14/92 (almost 1 month)
 5993 Date MS given to GC 3/23/92 Date MS was ret'd 4/29/92 (almost 1 month)
 5993 revision given to GC 12/9/92 GC hasn't turned in review yet

April 1992

0115 Date MS given to GC 4/9/92 Date MS was ret'd 4/14/92 (1 week)

June 1992

0103 Date MS given to GC 6/16/92 Date MS was ret'd 6/22/92 (almost a week)
 0115 Date MS given to GC 6/19/92 Date MS was ret'd 6/21/92 (3 days)

July 1992

0134 Date MS given to GC 7/6/92 Date MS was ret'd 7/6/92 (Same day)
 0143 Date MS given to GC 7/8/92 Date MS was ret'd 7/17/92 (1 week/few days)

August 1992

0200 Date MS given to GC 8/12/92 Date MS was ret'd 8/25/92 (2 weeks ~~and 10 days~~)
 0222 " " " 8/31/92 " " 9/1/92 (1 day)

October 1992

0346 Date MS given to GC 11/25/92 Date MS was ret'd 11/26/92 (1 day)
 0349 " " " 11/30/92 " " 12/4/92 (almost a wk)

January 1993

D00095

11/11/92 - 1/1/93 (14)

24 June 91

Gloria —

I'd like a leave of absence 24 July 91 — 14 August 91.

Jeff

D00099

17 April 1991

Paul —

I'd like to take vacations 24 May 91 - 10 June 91 and 24 July 91 - 14 August 91 to attend family events on the West Coast. The earlier period would be 9 vacation days with 1 BD and 1 CTT; the breakdown of the latter period is yet to be determined.

-Jeff

D00100

23 May 91

Paul —

In my memo of 17 April 1991 I promised more detail about my vacation of 24 July 91—14 August 91. Here it is: If not a leave of absence, it could be taken as ten vac days plus 3 CTT, 2 PD and 1 BD (if earned).

-Jeff

30 NOV. 90

PAUL & GLORIA,

HERE'S MY PLAN FOR TIME OUT OF THE OFFICE:

OUT 26 DEC. 90 THROUGH 17 JAN. 91,

USING 11 VAC DAYS AND 4 PERSONAL COMP AND
BONUS DAYE.

REI d
not appes my
not weeks my
2 weeks during
2 most days
+ most
Chri
Gloria
12/15

fluff

D00102

Job Description

August 19, 1997

Name: Jeff Schmidt
Title: Senior Associate Editor
Reports to: Editor, Physics Today

BRIEF DESCRIPTION OF JOB DUTIES: Take responsibility for and edit feature articles.

ESSENTIAL FUNCTIONS:

1. Edit feature articles in conjunction with authors; negotiate for artwork; monitor articles through production. Weight, 70%
2. Take responsibility for assigned articles, in consultation with the editor. Includes: Obtain solicited manuscripts; review articles; obtain outside reviews; convey recommended revisions to the author; obtain revised articles. Weight, 25%
3. Perform other editorial functions as needed. Includes: Review feature articles, letters to the editor, and other editorial matter as requested; provide editorial support through staff discussions, and offering suggestions for articles and stories. Weight, 5%

QUALIFICATIONS: Graduate level training in physics or other physical science; several years' experience in editing or writing for a scientific or technical magazine; ability to meet deadlines; ability to work well with others, both inside and outside the magazine.

D00301

Jeff,

September 26, 1997

We welcome constructive and productive contributions from you, but behavior by you that we consider destructive and counterproductive will no longer be tolerated. Your continued interruption at our retreat, after you were instructed to hold your questions and comments until the discussion segment of the agenda, is an example of what we mean. The continuation of such behavior on your part, in the office or at any work-related activity, will not be tolerated.

This notice is to be treated as confidential.

October 1, 1997:

Charles and I went to Jeff's office about 11:45am, when Charles verbally delivered the message contained in the above notice, then handed Jeff a signed copy of the notice.

Following the staff articles meeting (2-3:30pm), Charles and Jeff had a lengthy conversation in Jeff's office.

At about 6pm, Jeff came to my office, noted that Charles had had me "in tow," and asked if I "had the same level of enthusiasm" as Charles did about the message we had delivered. I told him I wouldn't characterize either of us as enthusiastic, but we were in agreement.

D00306

General Rules of Conduct

As we are all aware, rules and regulations are essential to the general safety and welfare of our employees and to the efficient operation of the Institute. The following rules have been established for everyone's guidance while employed at AIP. This list of rules is not intended to be all-inclusive, since it is impossible to determine all the circumstances which may arise. However, these rules will provide illustrative standards by which employees should conduct themselves.

The procedure for handling discipline may include verbal warning, written warning, suspension without pay, and termination of employment. However, some situations may require immediate termination.

The following are examples of unauthorized behavior:

- Insubordination
- Foul or abusive language
- Use or possession of intoxicants or illegal drugs on or off AIP's premises during work hours; reporting to work while under the influence of intoxicants or illegal drugs
- Sleeping on the job
- Fighting on the job or the threat of bodily harm to others while on the job
- Misuse of or damage to Institute material or equipment or to the material or equipment of another employee
- Unauthorized removal of property belonging to the Institute or another employee
- Carelessness endangering the safety of oneself or others
- Constant pattern of tardiness or absenteeism without authorization
- Misbehavior including but not limited to: horseplay, harassing or intimidating fellow employees, making malicious or derogatory statements about fellow employees or about the Institute, misuse of confidential information, falsifying records, and illegal conduct
- Violation of safety or other operating rules. A positive attitude for the safety of your fellow employees and yourself must be observed at all times. This includes using proper safety equipment and reporting any unsafe practice to your supervisor

Electronic Communications Policy

The Institute's e-mail system is normally for business use only. Electronic communications should have a business purpose and may not be used to solicit for religious or political causes, outside organizations or other personal matters unrelated to the business of the Institute. Employees should be aware that the Institute may access electronic communications at any time for any reason.

Staff of the Institute may access its electronic communications systems without notice to users; reasons for such access include (but are not limited to): routine system maintenance, prevention or investigation of alleged misuse of its systems, and assuring compliance with software copyright laws.

The Institute's policy prohibiting harassment applies to the use of the Institute's electronic communications systems.

Employees who violate the Institute's electronic communications policy may be disciplined, up to and including termination.

- Carrying or possessing weapons of any kind on Institute property
- Parking in non-designated areas
- Unauthorized use of Institute telephones
- Solicitation of any kind by an employee of another employee while either is on working time
- Inappropriate dress
- All employees of AIP are employed at-will. Accordingly, employees may be terminated at anytime, with or without cause and with or without notice.

9/26/97

Jeff,

We welcome constructive and productive contributions from you, but behavior by you that we consider destructive and counterproductive will no longer be tolerated. Your continued interruption at our retreat, after you were instructed to hold your questions and comments until the discussion segment of the agenda, is an example of what we mean. The continuation of such behavior on your part, in the office or at any work-related activity, will not be tolerated.

This notice is to be treated as confidential.

cel

D00308

From: Charles Harris, Steve Benka (Charles Harris) (Charles Harris)
To: JSCHMIDT
Date: 12/2/97 12:30pm
Subject: rescindment

As agreed in the last staff meeting, our mutual acceptance of a code of behavior supersedes any outstanding verbal or written reprimand to you or any member of the staff for any perceived violation of this code. Onward and upward!

Warren complained ~~the~~ to Charles about being asked to do more and more, and was very agitated. (This, according to Charles.) When Charles got him calmed down, it came out that Jeff had talked to Warren about extra workloads (after I [SB] had asked Jeff again if he would do some of his own keyboarding).

In Warren's review and performance plan, I had asked him to take over (from Rita) the correspondence with publishers. Warren had reluctantly agreed. Now, Jeff apparently indicated to Warren that there would be no end to the new demands placed on him, so he (Warren) stormed over to Charles to complain.

[I believe this was in
December 1997. —SB 6/1/98]

D00330

January 28, 1998

SB

At about 6:30 pm I saw Jeff and Toni in Toni's office with the door closed. Recalling the counsel of Human Resources, I opened the door, went in, asked what aspect of their work they were discussing, and offered to join in. They were obviously startled, but Toni said they were talking about Monica Lewinsky and an article about her from the Wall Street Journal that Jeff had brought in, and also about the how to manage the 400 pages of tables that were being generated for the special issue.

So we chatted for a few minutes about the White House situation. As for the tables, I said we needed to identify the material in this first step. Pulling it all together would come later. "Let's get this work done first."

At one point during this Lewinsky/special issue discussion, Toni spoke into the phone, telling Jean that she would call her back later. It was only then I realized Jean had been part of the closed-door discussion before I entered.

I then steered the talk back to work, asking Jeff about his articles. Toni turned back to her work on the special issue, and I suggested to Jeff that we leave Toni in peace. Back by my office, Jeff told me he had given both of his March articles to Paul today, and should have them back by 4 February. We also discussed the Ramaty and deKee articles, and I made some changes to the April and June lineups, which Jeff was happy with. Jeff then went back to his office.

A few minutes later, I walked by his office and saw him on the phone. I thought about that while in the bathroom. Since the March articles were in-house at the moment, and both deKee and Ramaty were unlikely to be in their offices in the Eastern time zone, I was curious which of his authors he was talking with. So I opened his door and asked.

He said it wasn't an author, but "one of my coworkers." Again I offered to join the conversation, having assumed it was work-related. Jeff spoke into the phone, asking Toni if she heard that. I expressed surprise that they needed to discuss work by phone, and invited Toni down the hall. There was some delay before she arrived (saying godbye to Jean?) and I let Jeff steer me out of his office into the open area.

I asked what the topic of conversation was that they felt I needed to be excluded from. They were not forthcoming. I said that closed-door meetings such as I had just seen made me uncomfortable, that we didn't want a repeat of "what happened last year," which involved a lot of such "clandestine" gatherings. I said I failed to understand what work-related topics couldn't be discussed openly, to the point of needing an office-to-office phone call. "Do you think I shouldn't know, or don't have the right to know what's going on in the office?" Jeff said he didn't know if I had the right or not. I assured him I did. Toni said she wanted the Q&As reinstated.

Toni said, "Let's assume that we all know what you mean by 'what happened last year.' I want you to know that I'm really not interested in the politics around here. I spend all my time working, it's all I can do to keep up with that." I assured her that I knew how hard she worked, and reminded her that I've told her many times how happy I am with her work.

Jeff wondered if everyone was being "monitored" the same way [that I was presumably monitoring him], and Toni said she didn't like being subjected to such "surveillance." Jeff asked several times if Charles "approved" of what I was doing. I told him to ask Charles. There followed many examples of closed-door sessions (e.g. me and Charles, Gloria and me, etc.) and of personal phone calls. I pointed out that in most cases, a manager or supervisor was involved. I made it clear that I was addressing the behavior I had just seen, and repeated that it made me

uncomfortable because of last year's events. I then turned to Jeff and addressed him directly, saying "I hadn't noticed such closed door meetings lately. It hadn't really been a problem. Until today, Jeff."

Jeff then began peppering me with questions: Is this a new policy? Shouldn't it be given to everyone? Does Charles approve of this? and so on. I began to get flustered, emphasized that my point about their gathering had been made, and walked away. Jeff's parting shot was "I think it should be a general policy." I answered with, "I know that you do, Jeff. Thank you."

(Notes of Steve Benka: March 31, 1998)

15

Warren had a conversation with Jeff last Wednesday, March 25, 1998, in which Warren his sense that the decade was not well balanced. Warren told Jeff that he (Warren) had gone through Jeff's decade, tightened it up editorially and freed about two full pages. Jeff told Warren that all he (Jeff) wanted from Warren was excerpts on two items, the Astin case and the Fort Monmouth case. No other input from Warren was wanted. So Warren quit. On Thursday, Warren put together a package that included his shortened versions of Jeff's excerpts, and the following note, and sent it overnight FedEx to Jeff, who would have received it Friday morning, March 27, 1998.

Jeff:

I set out to propose alterations to your layout, seeing what in my view was an imbalance and an expenditure of space on material of secondary value. In response to your insistence that I give you only the Astin and Fort Monmouth segments, of course, I stopped. Here are Astin and Monmouth plus related stuff. Included with the Monmouth extracts are several other security/loyalty linked items that, if you want the sense of what the times' concerns were, ought to go with the Fort Monmouth material, including the exchange of letters on the Klaus Fuchs arrest, the warning to scientists from Spitzer, Einstein and others about responses to Federal investigators, and the visa-related material you had with Oppenheimer. As I said, half a page for Oppenheimer, rather than a page and a half seems enough; we're not reporting the story, simply recalling it. Dropping some of that and some of the display material you employed gives us as much as two solid pages to fill. I was going to suggest material for that but, in light of the specificity of your request to me, here's my input.

w

D00366

From: Warren Kornberg
To: sbenka
Date: 3/31/98 1:18pm
Subject: ad discussed

Jeff:

I set out to propose alterations to your layout, seeing what in my view was an imbalance and an expenditure of space on material of secondary value. In response to your insistence that I give you only the Astin and Fort Monmouth segments, of course, I stopped. Here are Astin and Monmouth plus related stuff; Included with the Monmouth extracts are several other security/loyalty linked items that, if you want the sense of what the times' concerns were, ought to go with the Fort Monmouth material, including the exchange of letters on the Klaus Fuchs arrest, the warning to scientists from Spitzer, Einstein and others about responses to Federal investigators, and the visa-related material you had with Oppenheimer. As I said, half a page for Oppenheimer, rather than a page and a half seems enough; we're not reporting the story, simply recalling it. Dropping some of that and some of the display material you employed gives us as much as two solid pages to fill. I was going to suggest material for that but, in light of the specificity of your request to me, here's my input.

w

D00367

PHYSICS TODAY

from Stephen G. Benka

Jeff, As we discussed,
as of today we are shifting
your job tasks slightly:

Actual editing goes from a
weight of 80% to 70%.

Following up on solicited
articles goes from 15% to 25%.

—Steve
8/25/97

**AMERICAN
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One Physics Ellipse
College Park, MD 20740-3843

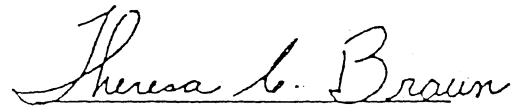
Tel. 301-209-3100
Fax 301-209-0843

1996 AFFIRMATIVE ACTION PROGRAM

FOR

AMERICAN INSTITUTE OF PHYSICS

Program completed by:

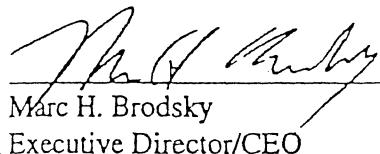


Theresa Braun
Director of Human Resources and
EEO Coordinator

Address:

One Physics Ellipse
College Park, MD 20740-3843

Program approved by:



Marc H. Brodsky
Executive Director/CEO

This Affirmative Action Program is effective from January 1, 1996 to December 31, 1996.

Member Societies:

The American Physical Society
Optical Society of America
Acoustical Society of America
The Society of Rheology
American Association of
Physics Teachers
American Crystallographic
Association
American Astronomical Society
American Association of
Physicists in Medicine
American Vacuum Society
American Geophysical Union

D00429

15 November 1996

Proposals for discussion at Physics Today retreat

The following proposed agenda items are in the spirit of Steve's invitation to put our concerns "on the table." This list was put together by some of the staff, based on discussions among staff members. The theme of these proposals derives from the main points raised by the Physics Today advisory committee: openness, staff empowerment and editorial efficiency. The proposals address issues that are very important to at least some of the staff, and they are intended to provide a basis for discussion. Each proposal is subject to adoption, modification or rejection during the retreat. PLEASE ADD TO THE LIST.

1. Agreement that we want to keep all the present staff members.
 - Security is a prerequisite for speaking freely, sharing ideas and experimentation.
2. Openness.
 - Recognize that all staff members are legitimately concerned about all aspects of the magazine -- both content and process.
 - Proposed changes in magazine's content or process should be announced to the staff and discussed.
 - Make letters to the editor available to all staff.
3. Volunteer reporters -- a staff-based information system.
 - Reporter gathers and disseminates information on progress toward agreed-upon goals. Not intended to replace management's information system. (Example: reporting on progress toward hiring someone to categorize books.)
4. Problem resolution: Editorial and other.
 - Editorial judgment: Burden of proof on critic.
 - In disputes, staff members are encouraged to consult others on staff.

D00425

5. Distribute work according to staff interest.
 - Adjust job descriptions of yet-to-be-hired editorial and secretarial staff members based on current staff interests.
6. Physics Today management should act in a way that leads staff to see them as their advocates rather than as the local representatives of higher management.
 - Advocates in editorial controversies.
 - Advocates in annual reviews.
7. Voluntary staff participation in hiring.
 - Participate in writing job advertisements.
 - Examine resumes.
 - Talk to candidates.
 - Offer recommendations.
8. Take affirmative action to increase diversity of Physics Today staff.
9. Allow staff to solicit outlines for articles.
10. No need for detailed schedules.

(Distribution: All PT staff and managers.)



INTER-OFFICE MEMORANDUM

59

July 11, 1996

TO: Theresa C. Braun
FROM: Melinda Underwood *MU*
SUBJECT: Affirmative Action--1995

Below are the areas in which AIP had underutilization in 1995:

Senior Managers	Female and Minority Underutilization
Senior Professionals	Female Underutilization
Other Professionals	Minority Underutilization

Let me know if you want to develop a narrative discussion of goals for the Affirmative Action Plan for 1996-1997.

D00430

The American Institute of Physics--Discussion of Goals (1995)

After analyzing our Affirmative Action plan and looking at the utilization analysis, it has come to the attention of the American Institute of Physics (AIP) that underutilization of minorities and females exist in the following job group:

Senior Managers (101) Female and Minority

Sr. Professionals (201) Female

Other Professionals (202) Minority

The American Institute of Physics has been and will continue to be an equal opportunity employer. Our goals for increasing utilization of the above groups will include:

- ▶ Broadening the scope of our recruiting efforts. This will include expanding our recruiting outlets and resources such as utilizing the Internet, Department of Labor, and community resources for job postings.
- ▶ Exploring diversity training and continue to monitor hiring process. AIP is looking into offering diversity training for hiring managers and supervisors.
- ▶ Examining and identifying internal candidates for open positions and career development. This will include continuing cross job training, development of skills, and promotion of existing tuition reimbursement program.

RESPONSIBILITY FOR IMPLEMENTATION

A. Executive Management Responsibility

As the representative of executive management, the EEO Coordinator has primary responsibility and accountability for implementing, directing and monitoring this Affirmative Action Plan.

1. Implementing the affirmative action programs set forth in this Plan, including the development of policy statements and related internal and external communication procedures to disseminate those policy statements.
2. Developing and supervising the presentation of our equal employment opportunity policy during the supervisory training and new employee orientation programs, which may include question-and-answer sessions for supervisors and employees answering their questions about this Affirmative Action Plan.
3. Designing and implementing an audit and reporting system that will accomplish the following:
 - (i) Measure the effectiveness of our affirmative action programs.
 - (ii) Indicate when remedial action is needed.
 - (iii) Determine the degree to which our goals and objectives have been attained.
4. Advising management and supervisory personnel on developments in the laws and regulations governing equal employment opportunity.
5. Serving as liaison between the Company and all enforcement agencies.
6. Identifying problem areas and establishing goals and objectives to remedy underutilization in major job groups, if any underutilization exists.
7. Conferring with community organizations representing women, minorities, veterans, the disabled and older workers.

8. Auditing periodically our on-the-job training, hiring and promotion patterns to remove impediments to attainment of the Company's goals and objectives.
9. Rating supervisory employees based, in part, upon their efforts and success in furthering the goal of equal employment opportunity, and informing supervisory employees of this evaluation practice.
10. Discussing periodically the Company's commitment to equal employment opportunity with managers, supervisors, and employees. During these discussions, the EEO Coordinator will stress the importance of affirmative action, as well as nondiscrimination.
11. Reviewing the qualifications of all employees to insure that minorities and women are given full opportunities for transfers, promotions and training.
12. Providing access to career counseling for all employees.
13. Conducting periodic audits to ensure that the Company is in compliance with federal and state laws and regulations requiring:
 - (i) Proper display of posters explaining the Company's obligation to engage in nondiscriminatory employment practices.
 - (ii) Integration of all facilities which we maintain for the use and benefit of our employees.
 - (iii) Maintenance of comparable facilities, including locker rooms and rest rooms, for employees of both sexes.
 - (iv) Providing full opportunity for advancement and encouraging minority and female employees to participate in educational, training, recreational and social activities sponsored by the Company.
14. Counseling supervisors and managers to take actions necessary to prevent harassment of employees placed through affirmative action efforts and to eliminate the cause of such complaints. Further, the EEO Coordinator will

counsel supervisors and managers not to tolerate discriminatory treatment of any employee by another employee or supervisor and to report all complaints or incidents to him.

15. Establishing an internal complaint system that will enable employees to discuss complaints with the EEO Coordinator whenever they feel that they are being discriminated against on the basis of race, color, religion, sex, national origin, disability or veterans' status.
16. Serving as liaison between the Company and community organizations representing minorities, women, veterans, the disabled and older workers.
17. Developing expertise and knowledge of equal employment opportunity guidelines and regulations in order to advise and update top management and supervisory personnel concerning developments affecting our equal employment opportunity program.

B. The Responsibilities of Supervisors and Managers

All supervisors and managers must share in the day to day responsibility for implementing the affirmative action programs set forth in this plan. Specifically, they must endeavor to:

1. Respond to inquiries about our Affirmative Action and Equal Employment Policy, after consulting with our EEO Coordinator.
2. Assist our EEO Coordinator during the investigation of allegations of discrimination.
3. Participate in recruitment and accommodation efforts designed to enable disabled individuals, disabled veterans and others to secure employment and to advance to positions for which they are qualified.
4. Ensure that all federal and state posters explaining the laws prohibiting discrimination are properly displayed.
5. Participate in the development and implementation of affirmative action programs.

DISSEMINATION OF EQUAL EMPLOYMENT POLICY

I. Internal Dissemination

The Company will take the following actions to disseminate its Affirmative Action and Equal Employment Policy, as appropriate, on a regular and continuing basis.

A. Including the Affirmative Action and Equal Employment Opportunity Policy statement in its policy manual and employee handbook, as published. A copy of our EEO Policy, which is contained in our Employee Handbook, is attached at the end of this section.

B. Meeting with supervisory personnel to explain the intent of the Affirmative Action and Equal Employment Policy and their individual responsibilities for its implementation. We conducted supervisory training for all management about equal employment opportunity, affirmative action and sexual harassment during Plan Year 1995 and have continued the training into Plan Year 1996. We have attached information relating to our supervisory training at the end of this section.

C. Scheduling special meetings with employees or using Company newsletters to discuss and explain individual employee responsibilities or opportunities under the affirmation action program. During the current plan year we will be conducting

training for all employees about our affirmative action program and equal employment opportunity in the workplace.

D. Discussing our equal employment policy during any orientation programs we hold, at which time all new employees (and if applicable, transferred and promoted employees) will be advised of our commitment to affirmative action and equal employment opportunity. Our Affirmative Action and Equal Employment Opportunity Policy statement and policy statements affirmatively supporting the employment of minorities, veterans, the disabled and women will be explained during these sessions. During these orientation sessions a management representative from various areas of the Company, including Human Resources, explains the function of their department. Our Affirmative Action and Equal Employment Opportunity Policy statement and policy statements affirmatively supporting the employment of minorities, veterans, the disabled and women are explained during these sessions. We have attached at the end of this section an "Overview of New Employee Orientation Process", which includes a copy of our "New Employee Checklist," and addresses equal employment opportunity and affirmative action in the workplace.

E. Posting the Affirmative Action and Equal Employment Policy, along with all required State and federal informational posters, on our bulletin boards, and updating such posters as required. Our "Affirmative Action and Equal Employment Opportunity Policy Statement", "Invitation to Vietnam Era and

IDENTIFICATION OF PROBLEM AREAS (DEFICIENCIES)
BY ORGANIZATIONAL UNIT AND BY JOB GROUP

I. UNDERUTILIZATION

The EEO Coordinator conducted a Utilization Analysis for the 1996 Plan Year in which she compared the workforce representation of minorities and females to their statistical availability by job group. The Utilization Analysis led the Company to identify the following areas of underutilization:

Females are statistically underutilized in job groups 101 (Senior Managers) and 201 (Senior Professionals).

Minorities are statistically underutilized in Job Group 202 (Other Professionals Technicians).

The Company is addressing these potential problem areas by establishing goals which we will attempt to achieve through specific action oriented programs, which are described in the section of this plan entitled "Action Oriented Programs." Our Utilization Analysis and Goals are contained behind the tabs, so named, in this affirmative action plan.

II. ADVERSE IMPACT

To determine if our selection procedures have an adverse impact upon minorities and females during the first six months of our 1996 Plan Year, we conducted an adverse impact analysis upon our selection decisions. We compared the selection ratios of minorities and females to those of non-minorities and males, respectively, in the areas of hiring, promotion and termination. Through this analysis we discovered no areas for this time period of statistically significant adverse impact.

As a result of our adverse impact analysis, we examined each of the selection decisions that occurred in job groups where adverse impact was discovered as described in the Action Oriented Programs section of our plan. Furthermore, a full impact ratio analysis of our selection decisions and a narrative discussion of the legitimate business reasons supporting our decisions is found behind the "Jaar Analysis, Impact Ratio Analysis and Placement Analysis" tab.

III. IN GENERAL

In addition to the above, the EEO Coordinator will, on an annual basis, as applicable, identify potential problem areas in the total employment process, which may include review of the following areas:

- A. Composition of the workforce by minority group status and sex.

- B. Composition of applicant flow by minority group status and sex.
- C. Overall employee selection process including position specifications, application forms, interviewing procedures, test administration, test validity, referral procedures, final selection process, and other employee selection procedures.
- D. New hires, promotions, terminations, etc.
- E. Utilization of training, recreation and social events and other programs that are sponsored by the Company.
- F. Technical phases of compliance with laws prohibiting discrimination in employment and promoting affirmative action programs, e.g., retention of applications, notifications to subcontractors, etc.
- G. "Underutilization" of minorities or women in specific job groups.
- H. Lateral or vertical movement of minority or female employees occurring at a lesser rate than that of non-minority or male employees.
- I. The selection process eliminating a significantly higher percentage of minorities or women than non-minorities or men.
- J. Application and other preemployment evaluation forms or procedures not in compliance with federal or state law.
- K. Position descriptions inaccurate in relation to actual functions and duties of that particular job.
- L. De facto segregation, by race or sex, existing in job titles or job groups.
- M. Seniority provisions contributing to overt or inadvertent discrimination by minority group status or sex.
- N. Non-support of our affirmative action and equal employment programs and policies by managers, supervisors or employees.
- O. Minorities or women significantly underrepresented in training or career improvement programs.
- P. Lack of formal techniques for evaluating effectiveness of the programs set forth in this Plan.

6/13/99

Jeff and I talked

7/29/99 (?? I no longer remember what, specifically, we talked about when I began writing this note. Perhaps it was my expectations for his performance.

Shortly after his return from sabbatical (on 6/14/99) I made it clear that we needed 18 articles and no more unacceptable behavior. As examples of the latter, I cited his circulation of his highly skewed diatribe following his last performance review, and his attempt of an orchestrated rebellion at ~~last year's~~ The Adv. Comm. Mtg of 1998. I told him those events would probably be mentioned in his next performance review.

From: Jeff Schmidt
To: SBENKA
Date: Tue, May 9, 2000 9:47 PM
Subject: Rahman manuscript

Steve --

That's good news that the Rahman manuscript arrived. I looked it over and think it is ready for external review.

I hope the review is quick, because I have run out of articles to edit and I wish to meet my annual editing goal.

I think the first figure in Rahman's article should be an image produced by a superconducting detector.

-- Jeff

CC: tgary, jschmidt

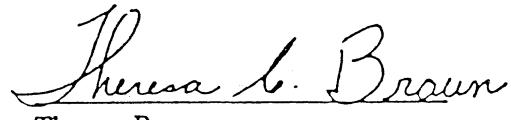
**AMERICAN
INSTITUTE
OF PHYSICS**

One Physics Ellipse
College Park, MD 20740-3843

Tel. 301-209-3100
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1996 AFFIRMATIVE ACTION PROGRAM**FOR****AMERICAN INSTITUTE OF PHYSICS**

Program completed by:

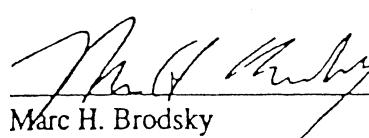


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The Society of Rheology
American Association of
Physics Teachers
American Crystallographic
Association
American Astronomical Society
American Association of
Physicists in Medicine
American Vacuum Society
American Geophysical Union

From: Susan Funk
To: SBENKA, JBARKER, GCOLLINS, PELLiot, TFEDER, CHARRI...
Date: 18 Sep 1997 (Thu) 13:29
Subject: Additional Agenda items...

I have been asked to e-mail this to all of you.

-- Susan

Here are some critical topics we would like to see on the agenda for next week's Content Retreat.

(1) Revised editorial structure: implementation of the long-deferred editorial board to increase staff's participation in editorial function and decision making.

While some may regard this as "process" and not a valid part of this "content" retreat, this step is essential for any meaningful changes in content to be successfully implemented. PT has a highly talented staff that is frustrated by the current structure, which prevents the staff from making a significant and ongoing contribution to enhancing the magazine's quality. Implementing the editorial board is the best way to make the magazine's content more timely, lively, and interdisciplinary.

All the editorial staff should be part of the editorial board.

(2) Revised outlook: an outlook that is more independent, more daring, more thought-provoking, more representative of diverse views in the physics community, more appealing to younger readers, more responsive overall not just to our current readers but to the additional readers we would like to have, more competitive.

(3) Added functions: to provide a forum for debate, to discuss openly issues relevant to the physics community (including controversial or contentious ones), to underscore the social context and relevance of physics.

(4) Added department: creation of "reader viewpoint" feature in which PT publishes reader responses to questions formulated by the staff.

How this would work: In one issue we publish the topic on which we want readers to give their opinions. In a later issue, we publish a representative sampling of those opinions. Such a feature would create a lot of reader interest and could play a valuable role in the society of physicists. Our topics and the subsequent opinions could become the talk of physics coffee rooms and pre-colloquium gatherings.

(5) Revised departments: discontinue reporting of awards and job changes.

The undersigned believe that it is essential that these topics be discussed at the content retreat.

Judy Barker, Graham P. Collins, Chas Day, Paul Elliott, Toni Feder, Jean Kumagai, Elliot Plotkin, Jeff Schmidt.

16 March 1998

Dear Graham,

At the Physics Today staff meeting on 3 March, the editor announced your upcoming departure and called it simply "the big news." We found that characterization offensively neutral. The resignation of a dedicated, long-time staff member is not just "news"; it is a huge loss for both the staff and the readers of the magazine, and it is a failure on the part of the magazine. We are extremely sorry you are leaving Physics Today.

The fact that those in charge are not encouraging you to reconsider is consistent with their behavior toward you over the months, and it leads us to believe that they are not 100% unhappy about your resignation. We think they are fully aware and appreciative of your extraordinary dedication and hard work. But we think they nevertheless have mixed feelings about your presence on the Physics Today staff because you have been an outspoken voice for change at the magazine. We share your frustration over management's continued resistance to badly needed improvements, and so we find your decision to resign quite understandable. Nevertheless, we are sorry to lose you.

Of course, driving away people who point out problems will make for a seemingly smoother operation. But such maintenance of appearances comes at a very high price, because problems that are not clearly exposed cannot be adequately addressed or corrected. We have all seen this in the grossly mismanaged effort to prepare the 50th anniversary issue of the magazine. After each of the many meetings that we have had on this special issue -- meetings at which staff suggestions have been routinely ignored and important decisions routinely deferred -- staff members have whispered to each other privately, in the strongest possible terms, about the absurd amount of time and money being wasted. Nearly everyone agrees that the effort is being grossly mismanaged, but because no one has felt safe enough to bring the matter out into the open at a meeting, there has been no real discussion of how the effort could be better organized and executed. And so after all this time the managers have done nothing to improve the way it is being managed.

During the past year, Physics Today management has moved toward a more repressive work environment and toward a love-it-or-leave-it policy. As you know all too well, there is now much less pretense that "improve it" is a realistic option. Management has become suspicious of anything that could lead to change, and they act against it no matter what the cost to morale or to the readers and the physics community. Take, for example, Steve Benka's recent order forbidding private conversations between staff members at work and declaring that all conversations between staff members must be open to management supervision. Although

D00644

Charles Harris later told someone on the staff that this totalitarian measure would not be enforced, it has not been officially retracted, and so the chill remains.

Almost four months ago the Physics Today advisory committee warned that "PT could experience severe losses in its editorial staff if morale issues are not being addressed or are being addressed in a cursory manner. This issue needs continued and heightened attention from management." Physics Today management chose to ignore this warning, and now with your departure we are suffering the predicted consequence. (The magazine's loss of Susan Funk, who quietly cleaned out her desk on Friday 6 March and never came back, was also the result of frustration, we think, with the impediments to fashioning her editorial assistant position into something more than a dead-end job.)

Those in charge should not forget that Physics Today is a trust of the physics community. To needlessly lose dedicated and experienced staff members, especially those who make the extra effort to improve the magazine and the workplace, is to squander the physics community's valuable resources.

We hope some way will be found to keep you at Physics Today, although we realize that this is unlikely to happen. We have been fortunate to have you as a colleague, and we gained much from your honesty and insight. We hope you keep up the spirit in whatever you do.

From: Stephen Benka
To: jeff
Date: 12/1/97 11:34am
Subject: Priorities

Jeff,

I received your note of 26 November. Susan is the Assistant to the Editor, which is a full time job. Charles, myself, and other editors all handle our own correspondence. I suggest you try doing the same.

--Steve

CC: sfunk, charris, sbenka

From: Susan Funk
To: SBENKA
Date: 12/1/97 11:40am
Subject: Priorities -Reply

Steve, Thank you for your vote of confidence! But, may I suggest that you say something to Rita because Jeff left her the folder with the letters to "hold on to." She asked me if I knew anything about it, but it seems she's now burdened with that project. I think if you or Charles handle this situation it would be a big stress-reliever for all.

Susan

From: Stephen Benka
To: rita
Date: 12/1/97 11:44am
Subject: Priorities -Forwarded

Rita,

This is a message I just sent to Jeff, with copies to Susan and Charles. I should have copied you as well. Please let me know if Jeff approaches you with this task. Thanks.

--Steve

From: Stephen Benka
To: MUNDERWO
Date: 1/9/97 12:23pm
Subject: Affirmative Action

Melinda,
affirm.1 went to APS's Committee on minorities. I spoke to Modeste first.
affirm.2 was sent without prior phone contact, though I tried.
affirm.2 was sent after talking with Mtngwa.
--Steve

-----AFFIRM.1-----

From: Stephen Benka
To: APS.MODESTE
Date: 11/26/96 9:37am
Subject: Ad from Physics Today

EDITORIAL OPENING AT PHYSICS TODAY

PHYSICS TODAY is seeking to fill a midlevel editorial position. The principal—but not exclusive—responsibility of the new staff member will be to edit feature articles on a broad range of physics-related technical and nontechnical subjects. The job will involve extensive contact with the physics community and with the in-house staff to produce a quality-driven, deadline-bound monthly magazine. An applicant should have a degree in physics, and editorial experience is desirable. Send your résumé and an informative cover letter to

Alice Robinson
Human Resources
American Institute of Physics
One Physics Ellipse
College Park, Maryland 20740-3843

-----AFFIRM.2-----

From: Stephen Benka
To: ACPGate("ernst@compsci.cas.vanderbilt.edu")
Date: 11/26/96 10:24am
Subject: Ad from Physics Today

Dear David Ernst,

If possible, can you distribute the following ad to the National Society of Hispanic Physicists, and to other appropriate organizations? Thank you very much.

Sincerely,
Stephen G. Benka, Editor, Physics Today

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One Physics Ellipse
College Park, Maryland 20740-3843

-----AFFIRM.3-----

From: Stephen Benka
To: ACPGate("mtingwas@athena.ncat.edu")
Date: 11/26/96 10:32am
Subject: Ad from Physics Today

Dear Dr. Mtingwa,

Here is the ad for our editorial opening. I appreciate your help in distributing it.

Best wishes,
Steve Benka

EDITORIAL OPENING AT PHYSICS TODAY

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From: Jean Kumagai <jak@interport.net>
To: Stephen Benka <sbenka@aip.acp.org>
Date: 11/27/96 8:01am
Subject: Re: Affirmative Action

Looks good, Steve. Some of the other groups listed in the Stith article might also be good -- for example, the Minority Students in Physical and Mathematical Sciences, which sponsors the annual National Conference of Black Physics Students.

My phone and fax numbers are both working again.

Happy Thanksgiving!
Jean

CC: ACP.AIP(jschmidt)

D00690

Agendas

Jeff : Start with 10 proposals

Irene : Hear from Charles & Steve about PT and its direction
Improve PT visually. The Magazine comes first. Be ahead of our readers

Warren : Structure of the operation. Why PT? for whom?
What is done? Does the staff know?

Bert : Concerns are individual and specific. Manpower ^{going to} for intgs.

Olivia : Focus on communication

Jean : Start with 10 proposals, at least use it.

Rita : Establish procedures for support staff
Stronger definition of job

Toni : 10 specific proposals. job descriptions. copy flow info. accessible

Paul : agree with Toni. Focus with improving magazine in ways compatible with staff satisfaction.

Barbara : horiz. communica - depts.
vert. commun - openness
problem resolution - authority vs. creativity
org. procedures
jobs, what they are, who's doing them
socia. articles
mag. content
mag. style.

Jobs, Communications, Procedures
Future of Magazine

Big 10.

- 1) Job Security
- 2) Openness - Staff wants info.
- 3.) Volunteer Reporters - Staff wants info
- 4.) Problem Resolution - Staff wants control of their copy
- 5.) Work distribution - Current staff wants the cream
- 6.) PT Mgmt as advocates - staff wants to be wanted
- 7.) Staff Participation in hiring - involvement in magazine
- 8.) Affirmative Action
- 9.) Staff to get outlines - involvement in content
- ✓ 10.) Simplify Schedules

Paul

Graham
1.) Make Progress

- 1.) Improve Operational Processes
- 2.) Improve Job Satisfaction
- 3.) Improve Magazine Content

Barbara

- 1.) Organization of work - What jobs need to be done? Are they? by whom?
- 2.) Procedures for Dept's. - Copy Flow
- 3.) Covering Beats - Magazine Content
- 4.) Travel - Broaden our horizons / contacts - Future of PT
- 5.) Job efficiency - Get training?

Mast head - titles ?

"Board of Editors" Model ?

- do all have input in each dept?
- Recognize expertise of individuals
- not "he tells me", but discussion
- collective involvement should recognize this

~~etc~~

Letters to Editor - keep in binder - where ?
reviews?

Paul to create a mechanism. - Involve support staff?

Articles knowledge and flow - need good mechanism

Advocacy of Mgt/ Staff

Delegation of Authority to Staff (Responsibility)

Affirmative Action - check w/ H.R.
AFS Committee on minorities

Schedule - ruthless ? take what you get.

if particular story desired, relax schedule ?
NOT BOTH

have material in the bank

3/12/83 - MFB w/ CH, GB, JS & TCB (via telephone)
Re: Jeff Schmidt

GB: 1. AA is important to PT

- Assumption is it's main

- Was kept on agenda @ 1st retreat ~ Nov 18, 1986

(chairs) } On Nov 26, ad sent to { Committee on Priorities, MIT Executive
Chairman } of MIT, Massachusetts
of MIT, Massachusetts
Clark

PT Staff informed of above
⇒ Wide net cast for applicants (also van ^{standard} ~~wide~~ elsewhere)

2. Generated 85 applicants → 77

At that point, 47 chosen by best candidate from pool.

GB may 1st cut (all require's availability to all interview's)

↓ down to 33 (28 good + 3 must interview) + 4 availability

3. GB looked at everyone's report & ranked 1 to 25.

~~Next to~~ Called on phone ~ 10-11 pp.

Interviewed on telephone: 9/11 interested, etc?

(wide mix of people), some unavailable.

Sorted down to 5 to 98.5. later,

Gave them an editing test. (AIP/PT consistently has very ^{high} test)

Comments sought, improvements made in manuscript, etc.

Then all of PT staff gathered & look at returned tests (unidentified)

Jeff & Team refused to pass judgement on the final test.

Not all 5 were white males.

Staff discussed, mixed views; 28 full, 3 left (later found out to be white males)

One late applicant, not looked at: ~~Massachusetts~~ Berkley.

D01449

3/12/78

-2-

4. Interview 3 & selected Charles Ray
(Note: Charles Ray is superb go-famer.)

Subsequently interviewed female & minority candidates
who did not qualify this round.
The ~~efft~~ seems like a possibility (Muñoz Park)
Will consider in future.

MHZ Notes for Meeting w/Jeff Schmit

3/20/98

I am responding to your concern about GWA, specifically XBT editor.

1. I reviewed the process

The I found process is very sound & fair, except that

- job requirements are difficult
- we cast a wide net
- offering edit - these reasonable sorting granularity
- first unit test is given
- etc

2. I review suggestion

I found suggestion worked well & did not work against potentially underrepresented candidates.

The names you mentioned were not selected for
for reasonable reasons.

3. GWA & cut below in AA - I am curious

- not giving "pts" to ineligibility at "zero value"
- Cast wide net is a value

3/20/98 Jeff: Thought it would be useful to have a statement
on the value of diversity. MHZ will consider

Training statements in response: Are they valid?

D01452

11/15/97 Jeff Schmid

I left you M/Hes a memo dated 5 Nov 9?
~~Recently~~ ^{felt} said affirmative action (I only know as the last "
be aware of it said we're doing everything right.

Editing text used for article, return then added into. }
→ Text was not validated }
been used well for
many years. (Ans 5)
Validated in sense
that people have
generally succeeded.
Thus, diversity (of staff) is of no value.

Intervening influences "worth of one nest"

Guys don't believe in AA.

1. Didn't take either σ_1 or σ_2 to interview
 2. Not asking directly for σ_1 , assigned value of zero.

Confidential selection of minority-related orgs as listed by Gifford Pinchot

- Cook, done only with very f. Cliff Hanesen's request
 - Cook has, untested now.

Recently in article, had to be washed along

Give me a name. Name in Dharwad

Wata Park

Mr. Wm. Nichols - (Recommended by Mr. F. M. D.)

Aug 2 other applications

Pittsburg

Anzovi

\Rightarrow MHD will go back to DSR

10/24/97 Jeff Schmidt called from Horn

Was a big issue at PT a few months ago.
during hiring process.

Q What did we do wrong?

A We got in 85 applications & called off
interviewing only white males.
We could have done more.

There

Some felt there was some qualifications that
were worth interviewing.

Benthon planned some moment minorities.

1994: Asked Jeff to bring info & names about
qualifed applications not selected for
interview.

From: Jean Kumagai <jak@interport.net>
To: ACP.AIP(jbarker,wkornber,tfeder,sbenka,rwehrenb,pe...
Date: 27 Nov 1996 (Wed) 17:57
Subject: affirmative action update

Affirmative action update

Here is what we know about the status of Physics Today's affirmative action efforts related to filling the open editorial position.

Steve has sent the ad...

...to Arlene Modeste of the APS Committee on Minorities, who agreed to distribute it appropriately.

...to Sekazi Mtingwa of the National Society of Black Physicists, who agreed to distribute it appropriately.

...to David Ernst of the National Society of Hispanic Physicists, with a message asking for assistance with distribution.

Charles says he plans to talk to Terri Braun to clarify AIP's affirmative action policy.

-- Jean
-- Jeff

D01456

5 November 1997

Marc,

Thank you for asking me to meet with you today about my statement to the Physics Today advisory committee that the magazine has failed to live up fully to its claim that it is an affirmative-action employer.

I am taking this opportunity to outline the history of the issue at the magazine and to discuss the important difference between equal opportunity and affirmative action.

At a November 1996 Physics Today meeting, some of us on the staff raised the issue of affirmative action and the lack of diversity at the magazine. Several weeks earlier, one of the Physics Today editors had submitted his resignation, thus presenting us with an immediate opportunity to work toward correcting the problem. At the meeting, I said I would help monitor the situation in the future, as did Jean Kumagai, who is the only minority among the 18 individuals who work at Physics Today.

On 14 April 1997 the Physics Today staff learned that out of the 85 applicants for the editorial opening at the magazine, three had been selected to come in for interviews -- all white males. Among the 85 applicants were a number of potentially qualified minorities and women. Jean and I argued that if Physics Today were truly committed to affirmative action, it would also bring in some of these applicants. That could have been done easily, but Charles Harris and Steve Benka refused, saying that it was not worth the delay of a week or so that it would cause. We felt that this revealed Physics Today's priorities (and AIP's, too, because Charles had told us that he had discussed the institute's affirmative action policy with Terri Braun after the November 1996 staff meeting), and that affirmative action clearly was low on the list.

The decisive factor turned out to be that while Charles believes in equal opportunity, he does not believe fully in affirmative action. He told me, for example, that he would not hire a minority who is qualified to do the job unless that individual was more qualified than all 84 of the other candidates. Such a policy can lead to an all-white staff even though many minorities are qualified to do the work. For reasons outside of our immediate control, qualified minorities are less likely to have credentials beyond those needed to do the work. Thus, the qualified minorities are passed over in favor of white applicants who have such superfluous credentials. The result is a staff that doesn't look like the population of people who are qualified to do the work. Thus the Physics Today staff does not look like the physics community, the journalism community, the Washington community or the nation as a whole. As long as Physics Today fails to embrace affirmative action, minorities will continue to be in the subset of applicants

D01457

deemed qualified to do the job, but rarely among those actually hired. Thus "equal opportunity" amounts to a de facto "whites only" hiring policy at Physics Today. Historically, affirmative action was instituted to overcome this shortcoming of equal opportunity.

Charles also told me that staff diversity is of no value to the magazine -- except to make the office a more interesting place to work. Therefore the fact that a particular job candidate would contribute to the diversity of the staff counts for nothing, he said.

My own concern about affirmative action at Physics Today was heightened when AIP and the magazine relocated from New York City to College Park four years ago. To fill the editorial openings created by the move, the magazine hired three individuals, all white males -- Ray Ladbury, Denis Cioffi and Steve Benka. None of the three had any journalism experience, but the magazine was willing to train them. (One could view this as an affirmative action program for white males.) If the magazine is willing to hire and train potentially qualified whites, then why not do that for minorities, too?

The managers at Physics Today made two token gestures in response to the pressure that we applied: They told a few organizations of minority scientists about the job opening, and, after they filled the position with a white male, they phoned a few of the minorities whom they had judged to be "promising candidates."

Ever since my disagreement with Charles over affirmative action at Physics Today, he has treated me a little bit like an unwelcome troublemaker. You should be able to verify any point that I have made in this note without attributing it; by doing it that way, you can avoid exacerbating this problem.

